

# **NAVAL POSTGRADUATE SCHOOL**

## **Monterey, California**



# **THESIS**

## **CIVIL-MILITARY RELATIONS: ENHANCING INTERNATIONAL SECURITY**

by

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March 2003

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**CIVIL-MILITARY RELATIONS: ENHANCING INTERNATIONAL SECURITY**

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## **ABSTRACT**

This thesis describes how civil-military relations at the international level enhance international security. In particular, it focuses upon civil-military relationships in the League of Nations and the United Nations, the North Atlantic Treaty Organization and The International Committee of Red Cross. The thesis also identifies particular types of relationships created by these international organizations and explains how participants influence each other.

A short historical overview of emerging international civil-military relationships shows how civil-military relationships have developed at the international level. The ongoing Iraq crisis illustrates how civil-military relationships function and enhance international security.

The examples and the analyses have shown that the international community has made great progress toward establishing norms of civil-military relations. The first step from ad-hoc experiments included a system of agreements under the International Red Cross. Then the community recognized the need to control conflicts and military forces as it created the League of Nations. The League of Nations established a strictly centrally managed, or authoritarian, civil-military relationship system on the basis of the accumulated knowledge and experiences of aristocratic societies using the opportunity to settle debates about World War I peace treaties. The United Nations, also created in the aftermath of a world war, established decentralized civil-military relationships that have a robust array of interactions and well-defined policy-formulating bodies, the General Assembly and the Security Council, but never obtained its standing army. It preserved the tradition of victorious states by allowing for action by regional organizations, and conserved the sovereignty of independent members. The UN system of civil-military relationships has the ability to weaken the chance for a strong state unilateral, unauthorized military action, while the international community has learned how to use military force for peaceful solutions to any crises or support humanitarian actions to maintain international peace and sustainable development.

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## **EXECUTIVE SUMMARY**

The thesis describes how civil-military relations at the international level enhance international security. In particular, it focuses upon civil-military relationships in the League of Nations and the United Nations, the North Atlantic Treaty Organization and The International Committee of Red Cross. The thesis also identifies particular types of relationships created by these international organizations and explains how participants influence each other.

A short historical overview of emerging international civil-military relationships shows how civil-military relationships have developed at the international level. The ongoing Iraq crisis illustrates how civil-military relationships function and enhance international security.

The examples and the analyses have shown that the international community has made great progress toward establishing norms of civil-military relations. The first step from ad-hoc experiments included a system of agreements under the International Red Cross. Then the community recognized the need to control conflicts and military forces as it created the League of Nations. The League of Nations established a strictly centrally managed, or authoritarian, civil-military relationship system on the basis of the accumulated knowledge and experiences of aristocratic societies using the opportunity to settle debates about World War I peace treaties. The United Nations, also created in the aftermath of a world war, established decentralized civil-military relationships that have a robust array of interactions and well-defined policy-formulating bodies, the General Assembly and the Security Council but never obtained its standing army. It preserved the tradition of victorious states by allowing for action by regional organizations, and conserved the sovereignty of independent members. The UN system of civil-military relationships has the ability to weaken the chance for a strong state unilateral, unauthorized military action, while the international community has learned how to use military force for peaceful solutions to any crises or support humanitarian actions to maintain international peace and sustainable development.

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## I. INTRODUCTION

The United Nations once dealt only with Governments. By now we know that peace and prosperity cannot be achieved without partnerships, involving Governments, international organizations, the business community and the civil society. In today's world we depend on each other.<sup>1</sup>

The world today is in crisis. There are several critical points in this current global turmoil that need to be managed, for instance crisis of societies, states, international organizations, weapon proliferation, etc. A large numbers of actors and wide array of methods and procedures might be brought to bear in the management of the current turmoil. These methods range from very peaceful to war. Even the peaceful methods do not avoid the presence of any forces in relationships managing world development. These forces can be controlled both at the state and suprastate levels. Today, the framework of ongoing events provides the opportunity to study how the international community can control military and civilian forces that acting together. These are civil-military relationships in anarchy, because the international system is anarchical. National and supranational actors (e.g. UN Secretary General) use different tools to express individual positions, which are to promote development (both individual and common): Actors use a system of relationships built in many forms of bi-, and multilateral international relations and connections or in internal structures and rules of bi-, and multinational organizations.

The aforementioned civil-military relationships are an important element in international security. The thesis compares some experiments of civil-military relationships serving to enforce international security at an international level, a case study of the same at a regional level and another case study of a recent event deeply influencing further developments not only of a certain country, but even the international community.

“Civil-military relations” as a field of study is commonly understood as civilian control of the military, but also includes the study of broader subjects, such as the

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<sup>1</sup> Kofi Annan, UN Secretary-General, Welcome, The United Nations: Partners in Civil Society, Department of Public Information United Nations, [http://www.un.org/partners/civil\\_society/home.htm](http://www.un.org/partners/civil_society/home.htm).

military's relationship with society in general within a state and at higher (suprastate) levels. They include how intergovernmental and international organizations can form and influence civil-military relations and socializing factors at international and regional levels. Common civil-military operations, like peace/stability operations and socializing factors cause states and other actors at suprastate level to open fields of interactions. Civil-military relationships studies as well what influence can non-governmental organizations, civil initiatives, mass media and public opinion have on civil-military relations and international security? Since business, trade and other elements, such as religion, education, aids and so forth are part of civil-military relationships; they also affect international security that includes the concurrent civil and military efforts. All these together mean that *civil-military relations at suprastate level are all kind of interactions of each civilian and military actor that concern the security of the international community as a whole.*

To have a starting point, the thesis uses the question: "Just as we must ask *which civilians* are part of the civil-military relationship, it also matters *which military forces* are involved."<sup>2</sup> The thesis focuses upon civil-military relationships at *the suprastate level*, by conducting comparative appraisal of four cases of suprastate structures. They illustrate how and what stage has the international community built its civil-military relations; what civilian and military structures has been created and how they interact with each other at suprastate level that includes regional and global levels. It indicates that the thesis does not examine single states' internal civil-military relations, i.e. their types and behaviors are irrelevant for the study, since even a state having no democratic internal civil-military relations can have large positive and negative impact on international security. For instance, Pakistan is a military dictatorship and one of the largest peacekeeping troops' contributor, or the opposite, Iraq is also a dictatorship but a

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<sup>2</sup> Karen Guttieri, "Leading by Example: Civil Military Relations in Post-Conflict Peacebuilding," paper delivered to the United Nations University Meeting, Civil-Military Issues in Post-Conflict Peacebuilding, Hamburg, October 2001 (forthcoming to press).

source of international conflicts, etc. The signaled dual effect is true also for states with democratic civil-military relations like it happens in the Iraq crises.

Since Chapter I is the introduction, Chapter II, Civil-Military Relations in Managing International Security, tries to answer these questions above at a global level using examples from basic documents of the International Committee of Red Cross, the League of Nations and the United Nations.

Chapter III, Civil-Military Relations in the Euro-Atlantic Region, discusses civil-military relations frameworks at a regional level by analyzing a constantly widening alliance and the role of civil-military relations in its formation and functioning.

Chapter IV, Civil-Military Relations in the Recent Iraqi Crises, tries to provide answers to these questions by studying the problem mainly in the Euro-Atlantic sphere.

The thesis also presents a comparative summary of the chapters and conclusions in Chapter V that underlines the most important elements of the study, and emphasizes the ongoing changes in civil-military relations at suprastate level.

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## **II. CIVIL-MILITARY RELATIONS IN MANAGING INTERNATIONAL SECURITY**

### **A. OVERVIEW**

Civil-military relations are important both in the internal and international development of a single state and the international system. Having considered that they are parts of its international relationships, they require interactions or/and cooperation, since “The evolution of cooperation requires that individuals have a sufficiently large chance to meet again so that they have a stake in their future interactions”<sup>3</sup>. Moreover, they can be influenced both internally and internationally. This idea leads us to state that a single country's control of the military does involve more actors than a state alone, and it requires their overall cooperation that is nothing other than building connections and working together, i.e., relationships.

The international community has a system of civil-military relationships that enables it to control, at some level, both its common and the individual countries' militaries. Control of the armed forces of member states by the community does not limit and does not take over the tasks of traditional civil-military relations and civil control applicable within a single state. It means that a state's armed forces have to obey their state's civil control and same of the international community's at the same time. This means that a single state (its government and other authorities) is obliged by agreement with any other state or international organization to translate and transform the community's rules and framework of community civil-military relations into the language and norms of its internal civil-military relationships with a parallel active participation in creation and execution of international rules.

Although states have their own system to control forces, there are emerging attempts to influence or even to control them by the international community. At the supranational level, there are structures in place to govern key aspects of civil-military relations to “common” military forces, i.e. peacekeepers in blue helmets or berets or

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<sup>3</sup> Robert Axelrod, The Evolution of Cooperation, Basic Books, Printed in the United States of America, 1984, p. 20.

forces in subordination of NATO command structure. The first set of military actors the international community seeks to control are first, the international community's "own" armed forces, for instance those assigned to the UN, alliances (Warsaw Pact, NATO) or ad-hoc coalitions<sup>4</sup>, i.e. a more-or-less direct method. Another, indirect governance of civil-military relations is achieved when, for example, member states directly refer to supranational requirements in preparation of their forces. They can be executed by different organs, a relevant international organization, a group of states' commonly authorized or appointed bodies, by the international or/and a state's civil society represented through different non-governmental organizations or influential individuals, such as leading columnists, scientists, and so forth, through the media, public opinion, demonstrations or/and other activities, and by all other actors, for instance, multinational companies, trade, etc., having any connections to civil-military relationships at supranational level.

However, the above-defined system, based on a stable structure and a certain level of relationships among its members<sup>5</sup>, emerges after several attempts to create such a structure throughout history. The League of Nations and the International Committee of Red Cross along with the United Nations Organizations were the most important experiments of this type.

All these institutions, as with any other average company, control through cooperation within their organizational system as well as externally<sup>6</sup>. This is a process of cooperation that is the essence of their way of functioning, since it covers a multilateral interaction "system" to enhance the development of single states and individuals by taking steps and making efforts to create and maintain peaceful and sustainable conditions<sup>7</sup>, including control of the armed forces, the use of which largely influences the

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<sup>4</sup> See for instance, group of states fighting war on terrorism

<sup>5</sup> For instance, foreign policy, foreign trade, national security strategy, national military strategy, diplomacy, relationships among citizens, membership of a single state in different international organizations, citizen and state participation in international non-governmental organizations, presence of multinational companies, etc.

<sup>6</sup>For instance, see NATO and its activity outside its zone of responsibility (out of area operations)

<sup>7</sup> See 1<sup>st</sup> paragraph of the Charter of the United Nations, the same of The Covenant of the League of Nations, The Geneva Common Articles and The Hague Conventions.

general development both of supporting and destroying both the international system and the single states<sup>8</sup>.

## **B. LEAGUE OF NATIONS**

The League of Nations was established in 1920. It expressed the wish of the international community for peaceful resolution to international disputes and conflicts based on and originated from the Versailles peace treaty at the end of World War I. It was dissolved in 1946.

The desire to create the League of Nations also arises from the anarchical nature of the world, expressed in Kantian, Grotian and realism's theories and scholar's debates about them. These theories speak about a kind of order in anarchy that can include even balance of power of a system of states, principles of which were encoded in the Treaty of Westphalia, i.e., Self-help<sup>9</sup>. These principles were expressed in the Covenant of the League of Nations. It tried to unite countries but was only partially successful. For instance, the United States, whose US President W. Wilson suggested that it be established, never become a member, The League of Nations was not able to provide a satisfactory answer about the German preparations for a great war, including the annexation of several states, for example.

Similarly, the Covenant reflects another important element of civil-military struggles at a suprastate level: This is the use of military forces in executing domestic political tasks through international military conflicts. As Gordon A. Craig has pointed out in *The Politics of the Prussian Army 1640-1945*<sup>10</sup> the use of the military in support of foreign policy is strongly connected with internal political debates and methods for managing them. He emphasizes that a state's military strategy influences foreign policy

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<sup>8</sup> Traditional peacekeeping or more coercive peace enforcement or actual war.

<sup>9</sup> Graham Evans and Jeffrey Newnham, *The Penguin Dictionary of International Relations*, Penguin Books, London, 1998, p. 300.

<sup>10</sup> Gordon A. Craig, *The Politics of the Prussian Army 1640-1945*, Oxford University Press, London, 1955.

and international conditions. In turn, this international changes produce affect on internal civil-military relations, further development of the state and its society<sup>11</sup>.

Considering these contradictory relationships, the Covenant of The League of Nations tried to channel civil-military relationships and the use and control of forces to a bureaucracy and a system of relationships. The bureaucracy consisted of the Assembly, the Council with a permanent secretariat and the International Permanent Court of Justice<sup>12</sup>. Although the International Permanent Court of Justice had an advisory role for the Council, it was separate from the two other organs. The Covenant, therefore, tried to support a kind of power division. The governments in the Assembly represented all members of the League of Nations. The council was permanent<sup>13</sup> and elected by the Assembly members, while the Secretariat served as an international civil service. “All decisions had to be by unanimous vote.”<sup>14</sup>. Although the Covenant required a unique “one-voice”, it reserved the right to intervene in members’ disputes and affairs (Article 16).

This way of thinking contained the possibilities of peaceful and war type interventions, i.e. coercive measures. Peaceful interventions increased because of the obligation to go to the League of Nations with any disputes and members' agreements that went into effect only after the Council declared them<sup>15</sup>, or until recommendations from the Council were stated through the establishment of general ideas concerning the reduction of a nation’s armaments and control of the war-armament industry. Their limits and level depended on the reduction plans of the Council that took into consideration the geographical situation and circumstances of member states (Article 8). On the other hand,

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11 For instance titles of Chapters V, War and Diplomacy in the period of Unification and Chapter VII, The Army in Politics: Groener and Schleicher 1928-1933, Gordon A. Craig, The Politics of the Prussian Army 1640-1945, Oxford University Press, London, 1955.

12 “The Covenant of the League of Nations (Including Amendments Adopted on December, 1924”, University of Kansas, <http://ku.edu/carrie/docs/texts/leagnat.html>.

13 Representatives of Principal Allied and Associated Powers (Article 4).

14 Graham Evans and Jeffrey Newnham, The Penguin Dictionary of International Relations, Penguin Books, London, 1998, p. 300.

15 Article 18, Covenant of the League of Nations, University of Kansas, <http://ku.edu/carrie/docs/texts/leagnat.html>.

the council tried to mediate the disputes, and tried to orient parties to the International permanent Court of Justice in order to settle disputes peacefully. Contrary to the above situation, the Covenant made it possible to go to war if a decision was not reached. The Covenant clearly stated that nations could go to war after a three-month delay, if the Council failed (Article 12) to report a settlement in six months, as a challenge between the peaceful and armed settlement of disputes. War type interventions were written into Article 16 and reserved the right for the League of Nations to intervene with military forces, if any member or non-member state disregarding the Covenant went to war. The Council had the responsibility to make a decision about the use of force, and recommendations about the size of the members' military, air, naval forces to be used in a common military intervention with a minimal loss to the participating members and reimbursing them, in case a confrontation occurred. Moreover, the article requested members to make possible use of their territories by allowing forces to pass through them. These requirements of the Covenant and Article 11<sup>16</sup> meant that the idea of a common defense exists. As it follows, the Covenant tried to heavily concentrate and rule by managing international security and peace (articles 8-11, 15, 16, 17<sup>17</sup>, 18-20, 24) and also allow a legal method to "act alone" (article 12) and use a jury to settle disputes (Article 12-13).

This type of representation and actions made an understanding possible as the League of Nations was a league of governments, as L. P. Jacks points out in his article, "A League of Nations as a League of Governments?"<sup>18</sup>. It includes three assumptions, which are the followings. The first assumption says that the League of Nations was established through members acting as political governments. The second explains that states that contracting governments are equally competent in their obligations, since they

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16 "Any war or threat of war, whether immediately affecting any of the members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations." Article 11, Covenant of the League Nations, University of Kansas, <http://ku.edu/carrie/docs/texts/leagnat.html>.

17 The article subordinates non-member states to the League of Nations, too, through an immediate invitation to support applicability of articles 12-16.

18 L. P. Jacks, A League of Nations as a League of Governments?, February 1923, The Atlantic Online, <http://www.theatlantic.com/issues/23feb/jacks.htm>.

become a subject and bind themselves to the creation of the League of Nations. The third assumption goes further stating:

Assuming that all nations enter the League in the person, so to speak, of their governments, and that all these are equally competent to carry out their contracts under the League, it naturally follows that the business or function of the League is itself, government. It is a political machine made out of political material and with a political object – that namely, of governing the world, or the largest possible portion of it, in a different and presumably better manner than that it has been governed heretofore.<sup>19</sup>

L. P. Jacks' understanding of the League of Nations, a league of governments, in which “The best fruits of political civilization are to be found in the system of law and order which each government has established in its territory”,<sup>20</sup> is very close to Stanly Hoffman's opinion. He states the following:

The key, for the defenders of forcible intervention for humanitarian goals, is the vision of an international order in which state sovereignty is not absolute but a set of attributes that can be curtailed when essential human rights are being violated, and which the ban on aggression that has limited sovereignty since the Covenant of the League of Nations is completed by a ban on such internal atrocities as ethnic cleansing and systematic massacres of “enemy state”<sup>21</sup>.

Both Jacks and Hoffman write of a certain “internal balance” of the international community. This balance is essentially what maintains international peace even in the trusted regions<sup>22</sup> of world governance, which is a task of the international organizations because of the lack of local governments.

Considering the main goals, structure, the Covenant of the League of Nations, the way it functioned and the discussed before civilian and military measures and rules of the League of Nations, it can be said that the League of Nations tried to create a direct, centrally coordinated civil-military relationship system at a global level. Meanwhile, the

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19 L. P. Jacks, A League of Nations as a League of Governments?, February 1923, The Atlantic Online, <http://www.theatlantic.com/issues/23feb/jacks.htm>.

20 L. P. Jacks, A League of Nations as a League of Governments?, February 1923, The Atlantic Online, <http://www.theatlantic.com/issues/23feb/jacks.htm>.

21 Stanly Hoffman, the Debate about Intervention, in Turbulent Peace, edited by Pamela Aal and others, United States Institute of Peace Press, Washington, D.C., 2001, p. 277.

22 The trusteeship system was established in article 22 of the Covenant of the League of Nations.

Covenant encouraged nations to establish and cooperate with voluntary national Red Cross organizations as they are authorized to reduce any suffering (Article 25) that can be seen as an attempt to loosen the central coordination of the system, which is occurring in the United Nations.

### **C. UNITED NATIONS ORGANIZATION**

The United Nations Organization was created at the United Nations Conference on International Organization in San Francisco and came into being on 24 October 1945. It is a continuation of the previous experiment, the League of Nations. The United Nations Organization can be accepted as an early government, according to The Penguin Dictionary of International Relations<sup>23</sup>. This definition, different from UN documents and the UN system chart<sup>24</sup>, implies, rather, that the United Nations Organization behaves like a single state in some manner. The United Nations Organizations has the unique UN system<sup>25</sup>. Since it contains civil and military elements, thus, it is possible to examine civil-military relationships as a unique unified system. The European Union can be considered an example of a future federal state<sup>26</sup> that has problems similar to the civil-military relationships of the United Nations, for instance, weak governance, no standing armed forces, lack of strictly formulated common foreign and defense policy, divided members, and so forth.

A single state, the EU and the UN have a system of governance, legislation, juridical and an institutional system similar to that listed below.

#### Governance:

- a) Secretary-General vs. Prime Minister vs. President of the EU
- b) Councils and Agencies vs. Ministries of a single country vs. Committees of the EU

#### Legislation:

General Assembly vs. Parliament or Congress and Senate vs. European Parliament

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<sup>23</sup> Evans, Graham and Newnham, Jeffrey, The Penguin Dictionary of International Relations, Penguin Books, London, 1998, p. 576.

<sup>24</sup> "The United Nations System", United Nations, <http://www.un.org/aboutun/chart.html>.

<sup>25</sup> "The United Nations system", United Nations, <http://www.un.org/aboutun/chart.html>

<sup>26</sup> The European Union can be considered an independent state, see the Convent writing a Constitution for the European Union.

Juridical system:

International Court of Justice vs. Constitutional Courts vs. European Court

Institutional system:

- a. UN entities vs. Special government representatives. High Commissioners of the EU
- b. UN research, educational and training institutions, for instance, the United Nations University<sup>27</sup> vs. the same of a single state vs. European university Institute<sup>28</sup>
- c. World Bank Group vs. National or federal banks vs. European Central Bank, European Investment Bank, European Reconstruction and Development Bank
- d. Agreement and on call based UN military forces vs. military and police forces of a single state vs. creating armed and existing police forces of the European Union
- e. Other organizations and institutions connected to the United Nations by resolution-based agreements, such as Interpol<sup>29</sup>, and non-governmental organization<sup>30</sup> vs. contracts or agreement connecting different organizations to a single state's or the European Union's governments.

As the UN system chart shows, the UN is not a monolithic organization but a system of entities put into motion to achieve its aims, and thus creating and maintaining conditions of peaceful development. By extension, the United Nations can use, paradoxically, any state resources (when states permit) or none of them (when states opt out of multilaterally sanctioned approaches). The entities include civil and military actors and their relationships.

The basic principles of the UN system civil-military relationships are described in the Charter of The United Nations. The Charter also defines the manner in which they work, what the labor and responsibility division is among its concerned participants, and how relationships are built.

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27 “Established: By the United Nations General Assembly on 6 December 1973 (Resolution 3081 XXVII). Mission: 'to contribute, through research and capacity building, to efforts to resolve the pressing global problems that are the concern of the United Nations, its Peoples and Member states' see UNU Charter”, University of the United Nations, <http://www.unu.edu/unu.html>.

28 The European University Institute was established in 1972 by all member states of the European Community with the aim of providing advanced academic education for Ph.D. students and contributes to higher research, “European University Institute”, European University Institute, <http://www.iue.it/About/>.

29 <http://www.interpol.int/Public/ICPO/LegalMaterials/cooperation/AgrList.asp> and <http://www.interpol.int/Public/ICPO/LegalMaterials/cooperation/agreements/UN1997.asp>.

30 See web page, [http://www.un.org/partners/civil\\_society/home.html](http://www.un.org/partners/civil_society/home.html), describing the rules how civil and non governmental organizations can be linked to the UN.



The UN system civil-military relationships are defined in Chapters I, VI, VII, VIII and XVII of the Charter of the United Nations<sup>31</sup>, in its declarations, conventions and model rules. Other chapters, especially those that describe organs of the United Nations and their rights and responsibilities, have connections to the international community's civil-military relationships.

Basic principles are described in three dimensions. The first is a global dimension. Articles 1 and 2 describe the global idea and the need for civil-military relationships and their limits. They define a system of relationships expressing the desire to maintain international peace and security by peaceful means in coherence with principles of international law in order to prevent any threats against peace, to suppress any aggression with a respect for equal rights and self-determination, without any distinction (Article 1). Furthermore, they declare the rights and responsibilities of members and the limitations on the United Nations to act accordingly with Article 1. These rights force members to settle disputes peacefully as sovereign, equal and independent actors. The limitations refer to the principle of sovereign equality of United Nations' members, their and the United Nations' basic obligations/rights and to Chapter VII (articles 39-51) that regulates decision making procedures on the use of military force. Moreover, the Charter goes further when it involves non-member states in the work and procedure system of the United Nations to manage questions concerning them (for instance Article 32).

The second dimension of relationships is the regional dimension defined in Articles 52 and 57. They declare that the United Nations heavily insists on regionalism. They delegate rights and obligations to the regional organizations. They can use all their resources in accordance with the Charter and are obligated to keep the Security Council informed of their actions in maintaining or restoring international peace<sup>32</sup>. These

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31 "Charter of The United Nations", The Avalon Project at the Yale Law School, Yale University, New Haven, CT, USA, <http://www.yale.edu/lawweb/avalon/un/un/unchart.htm> The thesis analyzes the "Charter of the United Nations" and uses this source as a primary source for this aim.

32 See the example of NATO's intervention in Bosnia-Herzegovina or the work of the Organization for Security Cooperation in Europe, the Organization of African Unity, Organization of American States, Association of Southeast Asian nations in Connie Pack's article The Role of regional Organizations in Preventing and Resolving Conflict in Turbulent Peace The Challenges of managing international conflict, edited by Pamela Aal and others, pp. 561-583.

organizations should have an agreement-based relationship with the United Nations (Article 57 and 63).

The third dimension is the individual dimension that contains sovereignty and rights of United Nations' members in articles 3, 4, 31, 32, 35, 50-51, 69, 93, 95 and 109. These rights are broad based and a member can act freely. They begin with the right to membership and end with the right to self-defense through the rights of consultation, participation in the discussions of the Security Council and other organs (in case the member is concerned and is not member of the organ), voting, choosing tribunals and making recommendations concerning the Charter or any questions concerning international peace and sustainable development. All these dimensions are based on members' cooperation, governing and making suggestions by the United Nations (Article 11).

Although the Charter of the United Nations delegates rights to regional organizations and individual members, it attempts to regulate obligations for them and for the United Nations. The UN obligations can range from organizational questions to decisions on using and implementing force to restore international peace through a series of peaceful means, such as forcing the peaceful settlement of disputes, monitoring disputes, making suggestions to resolve them, influencing/orienting members through its organizations/institutions and suspending or excluding states, maintaining a system of trust territories and governing disarmament. These obligations are covered in articles 4-6, 34, 46-47, 53, 55, 59, 73-74, 75-85, 107, 109, 111. The obligations of the member states are the full acceptance of the United Nations Charter, the peaceful settlement of disputes, agreements based contribution and mutual assistance to the United Nations' armed forces, active participation in achieving the aims of Article 55, compliance with the decisions of the International Court of Justice, providing legal capacity, privileges and immunity for the fulfillment of UN tasks, work within the territory of the state and other minor administrative manners. The aforementioned obligations of the nations are included in articles 4, 33, 43-45, 48-49, 56, 93-94, 103-105, 110.

Since this very system of relationships has a designated center for coordination, it requires a bureaucracy to manage it. This bureaucracy is established in Chapter III

(articles 7 and 8) describing the principal organs of the United Nations. These are the General Assembly, the Security Council, the Trusteeship Council, the International Court of Justice and the Secretariat. Their structures, powers, procedure mechanisms and voting systems are defined in relevant articles of the Charter. The following also takes into consideration the UN system chart.

1. General Assembly (Article 9)-a president in charge, major, standing committees and other organs subordinate to it and three institutions under its supervision
2. Security Council (Article 23)-15 members (5 permanent and 10 elected by the General Assembly nonpermanent members), seven institutions directly subordinate and another organization under its supervision.
3. Economic and Social Council (Article 61)-thirteen commissions, a forum, a sectional, and ad hoc committees subordinate to it, ten programs and funds, four other UN entities, five research and training institutes, sixteen specialized agencies under its supervision.
4. Trusteeship Council (Article 86)-equally balanced number of members of the United Nations who do and do not administer trust territories.
5. Secretariat (Article 101)-Secretary-General in charge, ten offices and seven departments that are subordinate.
6. The biased in the UN system Military Committee is described very detailed in the Charter of the United Nations. The Military Committee's structure is given in Article 47.
7. Other organizations are subordinated to different organs of the United Nations or are related to the United Nations by resolution-based agreements.
8. Although the recently created International Criminal Court is not mentioned in the UN system chart, it can be counted as a part of the system on the basis of its mandate. Moreover, the United Nations General Assembly established the Preparatory Committee in 1944. The product, the Statue of Rome was established in the final Rome Conference (1998). The court will be responsible for investigating crimes against humanity, genocide, war crimes as "committed as a part of a plan or policy" and crime of aggression<sup>33</sup>.

While the Charter creates this system of bureaucracy, it clearly defines their responsibilities, labor and power division in the application of the Charter's aim and

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<sup>33</sup> As John R. Bolton summarizes in Courting Danger: What's Wrong with International Criminal Court article, The National Interest, National Affairs Inc., Winter 1998/99.

measures consistent with the principle of international law. This labor or power division contains legislative, executive and juridical tasks. Legislative tasks are divided between the General Assembly (binding only after ratification declarations) and the Security Council (binding without ratification resolutions-Article 43 paragraph 1)<sup>34</sup>. Meanwhile, the latter has an important role concerning executive power together with other councils. Juridical responsibilities are delegated to the International Court of Justice and the International Criminal Court is slated to join this part of the power division at a later date.

All these measures demonstrate that all organs of the United Nations have individual tasks and internal cooperation is needed from the point of view of civil-military relationships at the international level. Due to the limitations of Chapter I, the Charter was expanded and Chapter VI regulates the rules for the peaceful settlement of a conflict. It prescribes the use of all means possible to manage disputes for members without endangering international peace and security. The Security Council is also able to investigate disputes and intervene with suggestions on peaceful procedures or methods of adjustment<sup>35</sup> by trying to direct the parties in dispute towards the International Court of Justice that supports the Security Council through legal advice, according to Chapter XIV<sup>36</sup>. As a matter of fact, Chapter VI contains a series of measures to prevent the use of force. This is a very important element of civil-military relations in the enforcement of international security, since it directly influences members to avoid escalating disputes that can result in the use of force, or can be a threat to international peace, security and development.

Chapter VII, which creates the norms for the establishment and use (control) of military forces for the international community, is the most important from the point of view of its civil-military relationships. The chapter authorizes the Security Council, in conjunction with Chapter VI, to determine whether a dispute is a threat to international peace and security, and that all the peaceful possibilities described in Chapter VI should be investigated to settle the dispute, and which forceful measures should be used. They

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<sup>34</sup> Authorization and limits for the Security Council are given in Article 24.

<sup>35</sup> See footnote 28.

<sup>36</sup> Ibid.

can include the use of civilian actions, including UN, regional, multi-, and bilateral governmental and even private individual<sup>37</sup> measures, such as aid, observers, mediation among concerned parties, monetary, economical and social interventions relevant to the element of the UN systems, providing education, “policy orientations”<sup>38</sup>, and so forth, or use of military forces that can spread from peaceful to war applications. The latter can be the creation of different databases, such as for disarmament, active disarmament through agencies, agreements and if it necessary through war, military support for civilian measures, for example, humanitarian intervention, peace making, peace building, sharing sensitive information, and any other military operations if they are implemented in conjunction with the Charter of The United Nations.

Peaceful measures are described in Article 41, in different UN declarations, in decisions of the International Court of Justice and in the results of negotiations among member states. Article 41 makes it possible for partial or total isolation of a state, the control of which may require the use of military force, especially in the air and on the ground. It may make it necessary, also, to monitor countries in keeping with the decisions of the Security Council.

If monitoring proves that these measures are not adequate, the Security Council can decide to use other forces. These measures on the use of military forces are written in articles 42, 43, 44 and 45. Article 42 authorizes the Security Council to use a member’s air, land and sea forces to implement demonstrations, blockade and other operations. The Security Council also has at its disposal not standing forces (Article 43, point 1<sup>39</sup>). They

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<sup>37</sup> If the idea that the United Nation system can act similarly to a single state in some manner is accepted, any person can say that I have relatives, a friend or a friend of my friend living in an unstable region whom I personally help in a number of ways, from financial support or other kinds of support such as visiting or accommodating them if they emigrate from an untenable position. This type of civilian measure can be added to the list of civilian measures if they are consistent with the Charter of the United Nations.

<sup>38</sup> Declarations regardless of ratification, results of different convents, decisions and suggestions of UN agencies, entities can be counted as this type of civil measure. An example can be the aftermath of Kyoto resulting in major motor companies announcing in 2002 their willingness to exchange oil-based engines with alternative sources. They are introducing these models in 2003. This fact can also have a natural influence on the development of military equipment and warfare.

<sup>39</sup>“...undertake to make available to the Security Council...” means in my understanding that the Security Council has the authority to use forces in accordance with its aims and so the described forces are at its disposal.

are based on agreements making it possible for them to be mobilized by the Security Council by calling them up,<sup>40</sup> as well as voluntary forces that can be offered by any members outside the frameworks of the agreements<sup>41</sup>.

Chapter VII makes a clear hierarchical labor or power division among the General Assembly, the Security Council and the Military Committee. The Security Council is responsible for reporting its activities to the General Assembly. The Military Committee is in charge under the Security Council of the strategic direction of the armed forces available to the Security Council. On the other hand, the command problems should be subsequently worked out on a case-by-case basis. The Military Committee is also restricted in another area. It is obligated to consult with regional agencies and obtain authorization from the Security Council before establishing a subcommittee on any questions.

Articles 48 and 49 direct members to execute the Security Council decisions by affording mutual assistance directly and to the international agencies of which they are members.

Article 51 is concerned with the right of self-defense through a required and immediate report to the Security Council about the measures taken. Article 50 grants the right of consultation for suffering from economic problems caused by implementing measures on the basis of a Security Council decision. This idea affects civil-military relationships at the international level, since it influences the budget of armed forces operations, as a consequence of the decision of the Security Council.

The Charter of the United Nations contains some measures to reduce at least the right to use a veto by a veto holding member. These measures are encoded in Article 106 and in Articles 10-15 and 24. Article 106 establishes a compulsory consultation mechanism among the parties of the Four-Nations Declaration, signed at Moscow, 30

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40 Articles 43, 44.

41 Article 44. Moreover, there is a building up tendency of creating a standing voluntary force for the United Nations as it can be seen in Brian Urganhart's articles "For a UN Voluntary Force", New York Review of Books, 24 June, 1993 with responses; and idem., and "Who Can Police the World?", New York Review of Books, 21 May 1994.

October 1943 and France, and occasionally with other members of the United Nations, in the opinion of the Security Council, which enables forces to begin exercising their responsibilities. This consultation must be under the authority of the 5<sup>th</sup> paragraph of the Declaration<sup>42</sup>. Moreover, this article is very important,-and maybe vital, in the elimination of unilateral actions of the members of the Security Council. Articles 10-15 state the Security Council's obligation to report to the General Assembly, and the rights and obligation of the General Assembly to make recommendations about maintaining international peace and security for the Security Council, if required in a particular case. On the other hand, these articles make it possible for any member of the United Nation to bring any question concerning peace and security to the table. This possibility can be used only before a sensitive question is brought to the Security Council. However these two measures are a strongly required consultation and report obligation, they contain limited possibilities to consult with the General Assembly, to try to give the Security Council and all its members a chance to use the advisory ability of the General Assembly in order to avoid the possibility of a veto.

It is thus obvious that the General Assembly is involved in fomenting civil-military relationships of the international community as well. It works out different declarations, model rules and establishes institutions that come into being after ratification by a certain number of members, as happened, for instance, in the case of the International Criminal Court whose goal, for example, is to account for humanitarian and war crimes perpetrated against civilians and military personnel. However, these measures ought to be universal; there are several exemptions, as is occurring with the United States in the case of the International Criminal Court.

The existence of a framework (UN Charter) and a supervisory organ (General Assembly); the establishment of an authorized decision making body (Security Council); the availability of no standing forces, that can be mobilized by the Security Council's calling up nations to execute their relevant obligations in Article 1; the creation of their

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<sup>42</sup> "Joint Four-Nation Declaration", Moscow Conference, 30 October 1943, The Russian Battlefield, Moscow, 1998, <http://www.battlefield.ru/library/archives/speeches/speech2.html>.

chain of commands<sup>43</sup> on case-by-case basis; the acts of assigning UN commanders; the allocation by the UN of a certain budget; the defined methods of civil-military relationships, the analysis of the Charter that in particular shows how the General Assembly and the Security Council should function allow to say a direct control of the armed forces at the international level to exist at some level.

This way the Charter, and in particular how the General Assembly and the Security Council are functioning, demonstrates the existence of direct control of the armed forces at the international level similar to what happens within a single state by the legislative and executive branches, the effectiveness of which is a product of the system of actors relationships created in a bargaining process based on the supstate, state and internal to state (substate) interests.

The other side of the coin is the states that are not only members of the United Nations, but independent actors in the international community, and international law allows them to close, sign and ratifies bi-, and multilateral agreements. They regulate the relationships of the involved parties. They also make it possible to create regional organizations as well. Finally, they should do this in conjunction with the Charter of the United Nations, since the participants are members of the United Nations, and have accepted its Charter as a general guiding principle.

From another point of view, the UN system of relationships is more complex, and the international community, similar to the members, has different non-governmental organizations specified in different topics. These organizations can raise their voice at some point against or in favor of several things in order to support the peaceful development of the international community. Their actions can influence not only the internal civil-military relationship of a single state, but also even at an international level. For instance, international peace protests led to the end of the Vietnam War, as well as urging global economic powers to orient themselves towards sustainable development that can finally lead to the dismantlement of weapons of mass destruction and other

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<sup>43</sup> How and in which circumstances UN command chains are created and commanders assigned; how they function and what effectiveness they have are different from the topic questions of the thesis. They can be answered in another independent thesis.



equipment endangering the peaceful development of the international community. The most important international non-government organizations are directly connected to the United Nations through different organs, such as the UN/Department of Public Information, as well as through liaisons with the Economic and Social Council with consultative rights, programs and foundations, The Academic Council on the United Nations System, and the World Federation of United Nations Associations<sup>44</sup>.

Both methods of controlling forces can use different techniques. These consist of partnerships, multilateralism, negotiations, the use of diplomacy, military and other forces if required, organizational and personal relationships, all types of powerful relationships of key countries in order to convince others to accept and join non-binding decisions. Also included is acting according to the accepted international community written and unwritten rules, setting up conventions on vital topics to maintain the overall development of the international community and its nations on the basis of the relevant documents listed below, as well as all documents of importance in conjunction with the Charter of the United Nations<sup>45</sup>:

- 1.) Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International peace and Security and on the Role of the United Nations in this Field (5 December 1998).
- 2.) United Nations Model Rules for the Consolidation of Disputes between States (11 December 1995)
- 3.) Declaration on the preparation of Societies for Life in Peace (15 December 1995)
- 4.) Declaration on International Cooperation on Disarmament (11 December 1979)
- 5.) Declaration on the Right of Peoples to Peace (12 November 1984)
- 6.) Declaration on the Rights to Development (4 December 1986)

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<sup>44</sup> "The United Nations: Partners in Civil-Society", Department of Public Information, United Nations, <http://www.un.org/partners/civil-society/home.htm>.

<sup>45</sup> "United Nations: Research Guide", Dag Hammarskjöld Library, <http://www.un.org/Depts/dhl/resguide/resins.htm>.

- 7) Declaration on Fact-finding by the United Nations in the Field of Maintenance of International Peace and Security (9 December 1991)
- 8.) Declaration on Principles of International Law Concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations (24 October 1970)
- 9.) A series of declarations concerning the tasks and responsibilities on the topic of international terrorism, like Declaration on Measures to Eliminate International Terrorism (9 December 1994)

The above missions can be grouped into three categories:

1. Creating framework – 1,5,6,8
2. Prescriptions or tasks – 3,4,9
3. Evaluations and suggestions – 2,7

As it can be seen, this manner of managing the UN system with three categories covers all required elements of management capable of advancing a robust system of relationships in order to achieve the basic goals of the Charter through the use of force, if necessary, for the prevention of conflicts, maintaining peace and recovery and restoration operations. Moreover, the above groups of declarations demonstrate the areas where the international community tries to influence its member states, what the important milestones are in creating civil-military relationships and how they can be infused with common sense to bring a certain order to an anarchical international system.

The previously discussed system of relationships heavily influences the process of creating and maintaining civil-military relations in any participating state that raises the question of multiply issues of adapting themselves to the established UN civil-military relationships system, while maintaining their independence at the same time. This can be done by implementing, supporting, facilitating or opposing the creation, the maintenance civil-military relationships at suprastate level and participation in it; the states' adaptation to it and the maintenance of their independence. These behaviors can be articulated to the international community by using international relations of a state that,-as a participant in UN civil-military relationships, have a chance to control others in different ways with the

possibility of being controlled at the same time. These complex issues require flexible elements, and at once independent, as stated below:

But in the world of multiple issues imperfectly linked, in which coalitions are formatted transnationally and transgovernmentally, the potential role of institutions in political bargaining is greatly increased. In particular, they help set international agenda, and act as catalysts for coalition formation and as for political initiatives and linkage by weak states.

Governments must organize themselves to cope with the flow of business generated by international organizations. By defining the salient issues, and deciding which issue can be grouped together, organizations may help to determine governmental committees and other arrangements within governments<sup>46</sup>.

Keohane and Nye imply that the creation and maintenance of civil-military relationships for the international community are internal tasks, while their implementation is an external function for member states. Civilian control of a state's armed forces is a task not only for that state, but the community as a whole. It requires them to cooperate in finding an optimal solution for the use of a state's military forces in accordance with the international community and its own aims through effective civil-military relations that mutually benefit both sides. These expectations - the effects of peace, and the forceful measures and relationships described above - influence civil-military relationships of member states in an indirect way since they appear in different national security and military strategic documents, laws, acts, White Books, doctrines, field manuals, educational and training materials, and other relevant governmental decisions or directives, both for military and civilian actors participating in the creation of a state's civil-military relations. They can be seen, for instance, in the Joint Pub 3-07, Chapter 3<sup>47</sup> that lists the types of military operations other than war. These are arms control, combating terrorism, DoD support to counter drug operations, enforcement of sanctions/maritime intercept operations, enforcing exclusion zones, ensuring freedom and navigation, humanitarian assistance, military support of civil authorities, national

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<sup>46</sup> Robert O. Keohane and Joseph S. Nye, Power and Interdependence, Second Edition, Harpe Collins Publisher, 1989, p. 35.

<sup>47</sup> Joint Chiefs of Staff, Joint Doctrine for Military Operations Other Than War, Joint Chiefs of Staff, United States., 1995.

assistance/support to counterinsurgency, noncombatant evacuation operations, peace operations, protection of shipping, recovery operations, show of force operations and support of insurgency. The Joint Pub 3-07 example demonstrates the similarity between the tasks of a state and the UN system. The level of the document suggests that more sophisticated documents exist that provide guidance. The governmental and legislative organs of the United States created these more sophisticated documents. Thus, these documents define civil-military relationships within the given area of the military, similar to how they are regulated by the United Nations. Both systems of civil-military relationships are based on a series of relationships that can be described by Hasselbein's system of relationship's<sup>48</sup> that are oriented by mission (frameworks - Constitutions and the Charter of the United Nations), innovation (understanding of the need for peaceful development and orienting members and their international relationships towards it), and managing diversity (no distinction in any internal and international problems to be solved).

Hasselbein's concentric circles can describe this system of relationships. Leading bodies (president, parliament or senate with congress of a single state or Secretary-General, Security Council and General Assembly of the United Nations) are in the center. The inner circle can contain elements directly participating in the decision-making process beyond those in the center. These can be the most important intergovernmental and other organizations subordinate to and supervising a single state or different committees, central organizations (organizations subordinate to and supervising Councils) of the United Nations. The middle circle of relationships may include elements with a certain level of participation in the decision making process. These can be agreements linked to governments and legislative organs organizations/institutions of a single state or regional and non-governmental organizations linked to the United Nations. The outer circle may have any other elements of civil-military relationships. They can be any organizations, forces operating inside the limits of a single state, such as population

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<sup>48</sup> Frances Hasselbein, Managing in a World That is Round, Leader to Leader, No. 2, 1996, <http://www.pfdf.org/leadersbooks/121/fal196/fh.html>.

(families<sup>49</sup>), media, all types of business, educational organizations, and so forth, and even the armed forces or other participants of the UN system, such as the media, states, inter-, and non- governmental organizations created for different from UN tasks but linked to it. Knowing the physical nature of concentric circles, it can be stated that they support the UN system of relationships, the coordination role of the United Nations, UN members' and organs' interactions with each other and the United Nations<sup>50</sup>. Moreover, they can describe the level of involvement, importance, role and place of the UN system elements in an overleaping and even chaotic world similar to concentric circles. The mentioned characteristics depend on the resources of the actors and the ability to use their power, force and relationship system to influence and convince others or accepting other's arguments, as happens during the dispersion of concentric circles<sup>51</sup> also.

Taking into consideration the aforementioned Charter of the United Nations, its three dimensions, and how the UN system functions, an understanding of the instruments' system of the UN system's civil-military relationships can be demonstrated in Charts 1a and 1b. The charts are an example of UN system's three dimensions and of direct and indirect ways of controlling forces/powers in their complexity including non-governmental organizations, represented in the thesis by the International Committee of Red Cross.

#### **D. IMPACT OF THE INTERNATIONAL COMMITTEE OF RED CROSS**

The Covenant of the League of Nations and the Charter of the United Nations encourage member states to build cooperation with voluntary established Red Cross organizations. They contain two important articles<sup>52</sup> concerning the needs to reduce suffering in the world or and to promote human rights.

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49 A general understanding of families is that they are parts of a society and create the primary immediate conditions for individuals. They discuss civil-military relations by asking how *you* feel in your unit, is it useful or good for *you* to be away from your children for a long time on a mission, will *you* return safely from a fighting mission, etc.

50 See points of interference and non-interference.

51 Maximizing, enforcing, weakening or killing other waves through interfering with them.

52 Article 23 and 25, Covenant of the League of Nations.

While the Covenant of the League of Nations speaks about voluntarily established national Red Cross organizations, the Charter of the United States creates a possibility of consultation among its organs, especially the Economic and Social Council, and non-governmental organizations within their concerns and competence<sup>53</sup>. The Charter of the United Nations in addition to recognizing general human rights broadens them in Article 55 with the establishment of UN principles to promote higher standards of living, and to find solutions to social, health, cultural, educational and economical problems.

This development of general social values can be evaluated as a result of the impact of the activity of the International Red Cross. It was established in 1863 with the goal to help the victims of wars as described in its original name, the International Committee for Aid to Wounded Soldiers<sup>54</sup>. Because of favorable conditions and wide acceptance, the International Committee of Red Cross developed by emphasizing the importance of the prevention of unacceptable casualties. The series of Common Geneva agreements containing the rights of combatants, prisoners of war and general principles to protect civilians in armed conflicts are the results of these efforts. They have had a leading role in the creation of the rules of wars. At first, the Declaration of Paris organized the rules in 1856, then a law was codified “regarding the care of the sick and wounded”<sup>55</sup> in 1864 under the name of the Geneva Convention on Wounded. Geoffrey Best’s book, War and Law Since 1945, and a Naval Postgraduate School handout, The Modern Law of War: Major Agreements<sup>56</sup> demonstrate the process of protecting civilians, combatants and non-combatants in wars is constantly developing with many remarkable results, such as different regulations on applicable armaments and warfare, creating international military tribunals<sup>57</sup>, bans on the use of war in favor of national

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53 Article 71, Charter of the United Nations.

54 Graham Evans and Jeffrey Newnham, The Penguin Dictionary of International Relations, Penguin Books, London, p. 273.

55 Geoffrey Best, War and Law Since 1945, Clarendon Press, Oxford, 1997, p. 41.

56 Daniel Moran, The Modern Law of War: Major Agreements, A handout of the course NS3900 International Law and Organizations, Monterey, California, Department of National Security Affairs, Naval Postgraduate School, 2002.

57 For instance, the International Military Tribunal at Nuremberg, tribunals under the authority of the Security Council of the United Nations created after the Rwanda and Balkan crises.

policy<sup>58</sup>, the Hague conventions, declarations and protocols on the peaceful settlement of disputes (1899) and on cultural property (1954, 1999), UN conventions on human rights and the prevention and punishment of genocide. The last conventions acted as a catalyst in creating the Rome Statute of the International Criminal Court in 1998 that will be responsible for investigating not only genocide but also even organized war crimes.

As the International Committee of Red Cross states, the organization pays special attention to these efforts in addition to the traditional aid and support functions<sup>59</sup>. These considerations can be seen as a part of civil-military relations at the international level, since they try to create, maintain and develop a framework of civil control of military forces, including their ruling civilian authorities, together with the League of Nations and its successor, the United Nations.

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<sup>58</sup> General Treaty for Renunciation of War as an instrument of National Policy (Kellogg-Briant Pact) – see also relevant articles of the covenant of the League of Nations and the Charter of the United Nations.

<sup>59</sup> “The International Committee of Red Cross”, The International Committee of Red Cross, Geneva, <http://www.icrc.org>.

**1. Chart 1a An Understanding of UN System Civil-military Relationships (Tools of Direct Governance of Forces/Powers<sup>60</sup>)<sup>61</sup>**

General Assembly <sup>62</sup>				
Security Council				
Powers without use of military force		Powers with use of military force		
Councils		Supporting	Peace type use (prevention/reconciliation)	War type use (active military interventions)
UN Institutions		Military Committee	Inspectors	Called for (created case-by-case) UN military forces
UN Organizations		Peacekeeping Committee	Observers	Regional military forces
Other SC ad-hoc committees		Disarmament Commission	UN military forces	Members' voluntary military forces
Regional civilian Institutions		Other specialized commissions	Regional military organizations	Standing military forces <sup>63</sup>
Member states' national authorities		UN Military databases	Members' voluntary military forces	

<sup>60</sup> Decisive actors in cases when military forces are direct subordinate to the United Nations (Security Council).

<sup>61</sup> Listed tools of the UN system are only examples, since they can occasionally vary.

<sup>62</sup> The General Assembly creates the framework for the control of powers with the use of military: 1.) It authorizes, by accepting the Charter of the United Nations, the Security Council to make a decision on the use of force in the name of the General Assembly with certain limits and obligations, 2.) It receives and accepts yearly and occasional reports of the Security Council, 3.) It orients the Security Council with suggestions and debates of sessions.

<sup>63</sup> Their creation is under debate.



**2. Chart 1b An Understanding of UN System Civil-Military Relationships (Tools of Indirect Governance of Forces/Powers<sup>64</sup>)<sup>65</sup>**

General Assembly				Declarations			
Councils	Member states	Regional organizations	UN institutions and organizations	Non-member states	ICJ	ICC	Civil society and business circles
	Bi-, multilateral agreements		Specialized agencies	Bi-, multilateral agreements with member states			NGOs, Unions, other organizations
	Internal civil-military relations			Bi-, multilateral agreements with the United Nations, its institutions and organizations			Organized and spontaneous civilian actions, movements, etc.
							Multinational, bilateral joint ventures, companies, etc

<sup>64</sup> Decisive actors in cases when military forces are not directly subordinated to the United Nations (Security Council), but regional organizations and member states' national authorities – normal, peaceful possibilities to settle conflicts.

<sup>65</sup> Listed tools of the UN system are only examples, since they can occasionally vary.

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### **III. CIVIL-MILITARY RELATIONS IN THE EURO-ATLANTIC REGION**

#### **A. OVERVIEW**

Since 1989, the international system has been gripped by change. This ongoing process is a part of a historical cycle, which has witnessed several minor or longer lasting power or/and labor division systems. Some countries have either given up their independence or just the opposite, regained their independence in a challenging periodical power restructuring. Likewise, some countries volunteered for some systems such as the countries wanting to join the European Union, others were forced such as the Baltic States or Ukraine,) and others had a combination of them, such as several member states of the United States or Hungary, in a process of becoming a member of an interest or power group or federal country. Some countries become members of an alliance as members of a federal country, or just the opposite, some countries are not members of any federal states, but alliances or unions.

As history has shown, all power groups have been based on the presence of one or two powerful states. These power groups and several of their member states have had one of the expressive forms of federalism. Some examples are the Roman, Frank, Ottoman, Russian, Austro-Hungarian empires and alliances of the first and second World Wars, alliances during the cold war and after the cold war period. The Roman Empire had contained several regions with a wide power base of local leadership. The Austro-Hungarian Monarchy was a federation in the context of a union of several countries under the leadership of the “Kaiser and Crown. There are several other formations that can be mentioned, such as the British colonial empire, the United States, the Soviet Union or the Russian Federation, and Mexico. In addition, the European Union is being transformed from an international organization into a state and is taking the first decisive steps toward all level integration.

All these states were or are members of different ad-hoc military coalitions, alliances and international organizations. The latter and the federal country or/and the unions that represent a number of states unified through common interests. All these

formations contain certain but changing number of member states. In all these cases, member countries could have their own military forces a part of that does, while another does not belong to the allied ones, such as the National Guard of the United States and other national forces not subordinated to the chain of command of NATO or the former Warsaw Pact, and in the being created European Union's armed forces.

They have different relationships, in that one or several of states have a leading role, or are overbearing in extreme cases, as could be seen in the dissolution of the Warsaw Pact in 1991. Despite common interests, some member countries changed their membership in what can be seen as a short period of time historically. This occurred when the Czech Republic, Hungary and Poland joined NATO, when the two German states were integrated; when some republics of the former Yugoslavia regained their independence and are now on the way to joining the European Union or/and some special establishment of the North Atlantic Treaty Organization, or when U.S. Secretary of Defense Donald Rumsfeld said: "The mission determines the coalition, and the coalition must not be permitted to determine the mission"<sup>66</sup>; or as a Russian joke from the middle 1980s' says: A crow is sitting on a limb. It suddenly takes wing. A man catching this out of the corner of his eye asks: What's up? A politician who happened to be walking by, answers him: Perestroika has begun and goes away.

Countries, or in other words, the formations mentioned as examples, are at the same time independent and dependent because they are part of a federal state or/and at least an alliance or international organization. All of these as well as the formations to which they belong have some bureaucratic structure including both civilian and military elements. They are members of a "multiplier game" that use both civilian and military figures to rule the game in order to keep advancing their interests, decided by the participants' elite in the parallel ongoing disintegration and integration processes at the same time.

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<sup>66</sup> Andrew F. Tully, U.S.: Officials Vow Evidence of Bin Laden Involvement, Radio Free Europe Radio Liberty, 09/24/2001, <http://www.rferl.org/nca/features/2001/09/24092001115733.asp>.

Naturally, many more questions can be raised concerning how the aforementioned challenging structural environments are examined. However, this chapter tries to focus on finding a possible answer to the questions of the example of NATO's development.

## **B. NATO AND CIVIL-MILITARY RELATIONS IN THE CONTEXT OF SECURITY MANAGEMENT**

The North Atlantic Treaty Organization was established on 04 April 1945<sup>67</sup>. Over the years, several other countries joined such as Greece and Turkey in 1952, Germany during 1955-1956 and 1989<sup>68</sup>, Spain in 1982 and the Czech Republic, Hungary, Poland in 1999. The process of enlargement has not stopped; since a decision was made at the November 2002 Prague summit about the next group of countries that may join the alliance. These events show that the North Atlantic Treaty Organization has a unique ability to control the forces of different countries by integrating them on several certain levels. These levels can vary widely. The first is full membership, as occurred with Greece, Turkey, Germany, the Czech Republic, Hungary, and Poland. The second can be a partial integration, an example of which is the creation of the Partnership for Peace movement. The third level of integration is the manner in which the relationships with Russia and Ukraine were managed. Furthermore, the Mediterranean Dialogue can be taken into consideration as another level at integration. The process and levels of integration can be interpreted as an attempt to generalize some values and abilities of several countries in order to educate, or in other words, associate others with the goal of not being destroyed by war. This indicates that the idea of a common defense or/and common security exists and requires a certain amount of compatibility and flexibility. A similar conclusion, the need for compatibility and flexibility, - can be found in Peter Schmidt article concerning Europe's development:

In addition, there are many reasons for maintaining flexibility, especially where Europe's capacity to act concerned, including: the differences of strategic cultures from Finland down to Portugal, the cleavages between the bigger and the smaller countries of the EU, the variances in the role and function of the armed forces in member countries, and the

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<sup>67</sup> "The North Atlantic Treaty", Washington D.C., 4 April 1949, NATO Online Library, NATO Basic Texts, <http://www.nato.int/docu/basic/txt/treaty.htm>.

<sup>68</sup> Integrating East Germany after German reunification.

impossibility to find decisive mechanisms to overcome the divergences. Certainly, there are important attempts to establish a consensus on common interests and obligations (see the list of common goals in the EU Treaty) and to form some sort a European strategic culture, for example, by multinational military formations in Europe<sup>69</sup>.

It can be understood from the previous sentences that the question of compatibility can become necessary not only in political fields, but also in the manner armed forces are managed within the member countries and within the partner states. Civil-military relationships or civil control of military are ways to obtain this goal.

The level of multilateral integration is connected to first domestic civil-military relations (the ability of each state to manage armed forces inside the country) and second to international civil-military relations (suprastate organizations that manage cooperation among countries and their armed forces, or in a group). If we accept the compatibility described previously and the ability for civil control of the military, it should also be accepted as well, that the latter has certain specialties at the level of alliance, since there are no direct central elections, no direct legislative authority; no constitution nor constitutional court. As a result, many elements of traditional civil-military relations, existing within states, are missing in the Euro-Atlantic region that requires a stable system of indirect control of NATO and especially of its military. We can say that it can basically be regulated by treaty and other forms, such as documents and practices describing the mission, structure, working culture and tradition of the alliance, that requires a stable system of collaborate control of NATO and especially of its military.

From this point of view, the North Atlantic Treaty Organization is a regional organization for collective defense, and for the Kantian-Wilsonian collective security, this is determined in the treaty establishing NATO and modified, and defined more precisely, in 1999 at the Washington Summit:

Security:

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<sup>69</sup> Peter Schmidt, The Compatibility of Security Organizations and Policies in Europe, in Europe's New Security Challenges, edited by Heinz Gärtner and others, Boulder: Lynne Rienner Publishers, Inc., 2001, p. 161.

To provide one of the indispensable foundations for a stable Euro-Atlantic security environment, based on the growth of democratic institutions and commitment to the peaceful resolution of disputes, in which no country would be able to intimidate or coerce any other through the threat or use of force.

Partnership:

To promote wide-ranging partnership, cooperation, and dialogue with other countries in the Euro-Atlantic area, with the aim of increasing transparency, mutual confidence and the capacity for joint action with the Alliance.

Crisis Management:

To stand ready, case-by-case and consensus, in conformity with Article 7 of the Washington Treaty, to contribute to effective conflict prevention and to engage actively in crisis management, including crisis response operations<sup>70</sup>.

These sentences from the communiqué reflect the challenges of the post cold war period and show that the Alliance is to be oriented towards the Kantian collective security and further enlargement. The requirements for the candidates are given in the Security statement above, which are not different from the creation and effective application of principles of democratic civil control of armed forces within countries. Candidates' obligations to fit the Alliance culture and ways of civil control of armed forces and states to control the Alliance are formulated in the Partnership definition.

These sentences from the Washington Declaration (1999) and the sentence from the Partnership for Peace: Framework Document issued by the Heads of State and Government participating in the Meeting of the North Atlantic Council<sup>71</sup> can be

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<sup>70</sup> North Atlantic Council, Washington Summit Communiqué, NATO Press Release, North Atlantic Treaty Organization, April 24, 1999, par. 6., <http://www.nato.int/docu/pr/1999/p99-064e.htm>.

<sup>71</sup> From "Partnership for Peace: Framework Document issued by the Heads of States and Government participating in the Meeting of the North Atlantic Council", NATO On-Line Library, <http://www.nato.int/docu/basicxt/b940110b.htm>:

The other states subscribing to this document will cooperate with the North Atlantic Treaty Organization in pursuing the following objectives:

Facilitation transparency in national defense planning and budgeting processes;

Ensuring democratic control of armed forces;

interpreted as an example of Möttölä's idea of security management turning into capability-based hierarchy<sup>72</sup>, following the logic of which the North Atlantic Treaty Organization can be studied as a receiving body that has a need for a stable hierarchy able to coordinate the tasks of collective defense and cooperative security. The invitations for participation in the PfP clearly state the mandates and the hierarchical place of participating countries in the North Atlantic Treaty Organization. The Partnership for Peace initiative is announced as being under the authority of the North Atlantic Council.

The double task of managing the alliance and the partnership, including the dialogue, is supported by several measures, from the point of view of civil-military relationships. Their elements can be found in basic documents, in working cultures and traditions of the Alliance and the civil-military structure of NATO.

From our point of view, the latter is the most important, since the North Atlantic Treaty has undergone tremendous changes throughout its history. Originally, the civil-military structure of NATO was created to manage civil control of establishing countries in order to maintain an effective common military structure to deter the Soviet block from open warfare. This served as a tool to coordinate the in-country civil-military relations at the level of NATO. This tendency was not changed by the four accessions to the North

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Maintenance of the capability and readiness to contribute, subject to constitutional considerations, to operations under the authority of the UN and/or the responsibility of the OSCE;

The development of cooperative military relations with NATO, for the purpose of joint planning, training and exercises in order to strengthen their ability to undertake missions in the fields of peacekeeping, search and rescue, humanitarian operations, and others as may subsequently be agreed; The development - over a longer term - of forces better able to operate with those of the members of the North Atlantic Alliance.

<sup>72</sup> Kari Möttölä, *The Challenge of Collective Action: Security Management in European and Regional Context, in Europe's New Security Challenges*, edited by Heinz Gärtner and others, (Boulder: Lynne Rienner Publishers, Inc.), pp. 310-311.



Atlantic Treaty<sup>73</sup>, but it has been influenced by the process of creating the Partnership for Peace Program and the developments of special NATO - Russia relations.

Beginning from this point, the civil - military structure of the North Atlantic Treaty has been changed with the establishment of the Partnership for Peace and Mediterranean Dialogue programs. In other words, based on the aforementioned changes and Möttölä's idea, the North Atlantic Treaty, after opening the partnership program, covers the Alliance ("Organization"), the Partnership for Peace and the Dialogue as one organic system with certain limitations emerging in defense warranties that depend on levels of integration. A system of civil-military relationships or fortified civilian control has been created to reach this goal, as demonstrated in Chart 2.

### **1. The NATO Parliamentary Assembly**

The NATO Parliamentary Assembly (NATO PA) (formerly known as the North Atlantic Assembly) is an inter-parliamentary organization that, since 1955, has acted as a forum for legislators from the North American and West European member countries of the North Atlantic Alliance to meet together to consider issues of common interest and concern.<sup>74</sup>

The NATO Parliamentary Assembly is an independent body that advises the NAC, EAPC, NRC, NUC and MCG. The advice is not binding. The body contains elected representatives of parliaments from NATO member states plus representatives from seventeen partner countries. "In the past few years, in keeping with the major political changes which have occurred in the former Soviet Union and Central and

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<sup>73</sup> "Protocol to the North Atlantic Treaty on the Accession of Greece and Turkey", (London, 22 October 1951), NATO On-Line Library, <http://www.nato.int/docu/basictxt/bt-a1.htm>; "Protocol to the North Atlantic Treaty on the Accession of the Federal Republic of Germany", (Paris, 23 October 1954), NATO On-Line Library, <http://www.nato.int/docu/basictxt/b541023v.htm>; "Protocol to the North Atlantic Treaty on the Accession of Spain", (Brussels, 10 December 1981), NATO On-Line Library, <http://www.nato.int/docu/basictxt/bt-a5.htm>; "Protocol to the North Atlantic Treaty on the Accession of the Czech Republic", (Brussels, 16 December 1997), NATO On-Line Library, <http://www.nato.int/docu/basictxt/b971216a.htm>; "Protocol to the North Atlantic Treaty on the Accession of the Republic of Hungary", (Brussels, 16 December 1997), NATO On-Line Library, <http://www.nato.int/docu/basictxt/b971216b.htm>; "Protocol to the North Atlantic Treaty on the Accession of the Republic of Poland", (Brussels, 16 December 1997), NATO On-Line Library, <http://www.nato.int/docu/basictxt/b971216c.htm>.

<sup>74</sup> "Chapter 16: Parliamentary and Non-Governmental Organizations", NATO Handbook, <http://www.nato.int/docu/handbook/2001/hb1601.htm>.

Eastern Europe (CEE), the Assembly has significantly broadened both its membership and its mandate”.<sup>75</sup>

Furthermore, as seen on the NATO official web page, the NATO Parliamentary Assembly makes resolutions that are forwarded to the NATO Council and circulated among its member governments as “policy recommendations”<sup>76</sup>.

The North Atlantic Council<sup>77</sup> (September 17, 1949) constructed the organization of the treaty<sup>78</sup> and clearly stated the mandates. It is the leading and decisive element of the North Atlantic Treaty Organization, effecting civil control on the Alliance and other levels of integration.

The “Alliance” is the fully integrated operating element of the system. This level of integration is expressed in Article V of its founding treaty. This article speaks about common defense. The Alliance uses doctrines, directives and commands to manage its functioning.

The “Partnership” is the next, but looser level of integration, as it derives from the Partnership for Peace Framework Document 3-4, 6 and 8 points. The latter makes it possible for partner countries to consult with the Alliance about the use of force in favor of the requesting country in case of any untoward aggression<sup>79</sup>. Although the Partnership does not use compulsory suggestions, technical background and particular military assistance whose acceptance is dependent on the individual countries, partners are involved in the planning activities of the Alliance through their appropriate liaisons and representatives.

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<sup>75</sup> “Chapter 16: Parliamentary and Non-Governmental Organizations”, NATO Handbook, <http://www.nato.int/docu/handbook/2001/hb1601.htm>.

<sup>76</sup> “NATO Parliamentary Assembly”, NATO Parliamentary Assembly, <http://www.nato-pa.int/>.

<sup>77</sup> The North Atlantic Council has the name of NATO Council, too, according to the NATO Parliamentary Assembly official home page, <http://www.nato-pa.int/publications/resolutions/index.html>.

<sup>78</sup> “Final Communiqué of the first Session of the North Atlantic Council”, (Washington, 17 September 1949), NATO On-Line Library, <http://www.nato.int/docu/basicxt/b490917a.htm>.

<sup>79</sup> “Partnership for Peace: Framework Document issued by the Heads of States and Government participating in the Meeting of the North Atlantic Council”, NATO On-Line Library, <http://www.nato.int/docu/basicxt/b940110b.htm>.

The “Dialogue” is the loosest level of integration, since it does not include Partnership countries, and it is working at a consultative level that is expressed in the Mediterranean Cooperation Group. The Barcelona Process, ongoing cooperation between the EU and certain Mediterranean countries, heavily influences the Dialogue.

Two Councils also appear in Chart 2. These Councils reach two different interim levels of integration. The NATO-Ukrainian Council has meetings at the NAC level, but full cooperation exists in the framework of the Partnership for Peace, as declared by the NATO-Ukraine Charter.

The NATO-Russian Council, a successor to the NATO-Russia Permanent Joint Council, was established 24 May 2002. The level of integration overrides the framework of the Partnership, since it legitimizes the Russian Federation to partially participate in the process of making decisions about the Alliance. However, the level of integration is limited without extending Article V towards the Russian Federation. All other conditions are available for use, as stated in the NATO Update:

The NATO-Russia Council will take decisions by consensus, with all parties working “*as equal partners*” and meeting on a regular basis to raise levels of understanding and trust. As explained in the Rome Declaration, the NATO-Russia Council “*will work on the basis of continuous political dialogue on security issues among its members with a view to early identification of emerging problems, determination of optimal common approaches and the conduct of joint actions, as appropriate*”.<sup>80</sup>

This unusual way of understanding the North Atlantic Treaty Organization makes it possible to study how profoundly civil-military relations have changed in the Euro-Atlantic region. As can be seen, the basic principles of the Treaty have not been changed, but the process of integration opened several two-way channels of civil-military relations.

The structure supports the Alliance and the leading organ of the Organization to control the military forces of states that do not belong to it. This is acknowledged in the basic documents handed over by the applicants to the North Atlantic Treaty

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<sup>80</sup> “Rome Summit Lays the Foundations for a Stronger NATO - Russia Relationship”, NATO Update, Week 27 May - 02 June 2002, <http://www.nato.int/docu/update/2002/05-may/e0528a.htm>.

Organization when joining the PfP, in the yearly updated and published Partnership Working Plans, in the Planning and Review Process, in the everyday joint work at PCC, Headquarters, Commands, exercises and common actions, for instance, PfP participation in the NATO-led UN Bosnia peace efforts.

The information and knowledge gathered, as a result of the activities derived from the previous paragraph, support the Alliance in conserving or monopolizing its position within the System by carefully choosing partners and by goal oriented preparation for their full integration using the Membership Action Plan<sup>81</sup> or, as seen in the case of the Russian Federation, the only exempt country, avoiding it by building special relations.

On the other hand, Partners and countries participating in the Dialogue are able to have partial civil control of the Alliance and its military forces. Thus, partners can use this chance indirectly to influence decisions of the North Atlantic Council. This is basically done with the same methods as those used by the Alliance to control Partners, who can express their opinions in the EAPC, at Headquarters, Agencies, Commands, in exercises, in common actions and last, but not least, in the NATO Parliamentary Assembly if they are members. Use of these indirect ways of influencing the Alliance's decision making process can possibly result in more cautious planning and decision making on the part of the Alliance and the North Atlantic Council.

Building special relationships - from the point of view of civil-military relations at a supranational (regional) level - can “legitimize” that concerned countries' governments, legislatures, other authorities and military forces can accept the Alliance and Partners possible control. The special relationships can “legitimize” the Alliance actions and decisions towards the Partners and outside world also, as seen, for instance, in the case of the war on terrorism. The level of involvement in special relationships is determined not by the level of integration or membership, but the use of common decision realization capabilities. Contrarily, special relationships can cause tensions among the states competing for full membership, since they can be practically behind in the preparation and action according to others.

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<sup>81</sup>North Atlantic Council, Membership Action Plan, 24 April 1999, [NATO Press Release](http://www.nato.int/docu/pr/1999/p99-066e.htm), <http://www.nato.int/docu/pr/1999/p99-066e.htm>.

Building special relations can lead to the emergence of ad-hoc coalitions, even in the most integrated part of the system, in the Alliance. This can be recognized in the different levels of cooperation during the Gulf War (1991), in Bosnia, and in the war on terror. Another example took place when Article V was announced to be in force immediately following the 11 September 2001 terror attacks against the United States. That time Allied countries had only a limited contribution to the basic capabilities of the United States and Great Britain. This train of events and thoughts can be continued with an opinion of the leading publicist of the largest Hungarian daily newspaper, Endre Aczel. The article below reflects two important opinions: the opinion of President Bush about the decisive effects missions have on the coalition and Möttölä's opinion about the possibility of security management functioning through ad-hoc coalitions<sup>82</sup>.

Knowing that Tony Blair, who has telephone contact with president Bush five times a day in normal conditions, had a trip to Camp David not in the favor of a spectacle, but of seeing something, instead of hearing it only; knowing as well that the American - Brit decision on attacking Iraq can be considered as made, people here in Budapest should ask what is the NATO, to which members we belong, for? Should we have solidarity with the threatened, if Iraq threatens, should not we? Should we take political and military consequences of it? I answer that this is not the way. It is known for a while that NATO is an unpleasant by-product in the American policy (beginning from Bush). A coalition of willing/being able to/ready to support America countries on a case-by-case basis has changed this fifty-year-old coalition in American strategy.

This is the important and not that. NATO's turning into fractions is a product of existing on undeclared way American self-isolation policy.<sup>83</sup>

Avoiding or at least minimizing the effects of these tensions and internal friction is an important future task of the leading elements, the North Atlantic Council and the Alliance. This task requires managing very complex and highly sophisticated civil-military relations and their ruling bodies, and governments can possibly understand

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<sup>82</sup> Kari Möttölä, The Challenge of Collective Action: Security Management in European and Regional Context, in Europe's New Security Challenges, edited by Heinz Gärtner and others, (Boulder: Lynne Rienner Publishers, Inc.) pp. 310-311.

<sup>83</sup> Endre Aczél, Haditanács után (After War Council), Népszabadság OnLine, Népszabadság Rt., Budapest, 9 September, 2002, translated from Hungarian by MAJ Fekete, Florian, <http://www.nepszabadsag.hu/Default.asp?DocCollID=70542&DocID=67529#67529>.

Henry Kissinger and Charles Gati's<sup>84</sup> “last minute calls”. According to Henry Kissinger, traditional American alliances have special responsibilities. They have to meet the challenge. Kissinger is emphasizing that the United States, as any great power, reserves the right to act alone as a last resort, if necessary. He adds that the 50 year old Atlantic policy cannot commit the overwhelming crime of failing to let developments occur especially after, when the American President has shown the direction, and the government in Washington has a united voice. Kissinger hardly can imagine that the allies can put aside their partnership in a case that is as important for them, also, as it is for the United States.<sup>85</sup>

C. Gati on analyzing Hungarian – U.S. recent relationships, says that it is very important how the Hungarian Prime Minister personally handles crucial issues for both countries, since America expects powerful support from friends and allies since the events of September 11<sup>th</sup>. Moreover, he adds that there are only a few countries today willing to act with the United States in Europe. He underlines that taking advantage of this possibility is a great chance for Hungary.<sup>86</sup>

The last analyses above have demonstrated a wish to avoid erosion of the North Atlantic Treaty Organization, to limit the competition to keep supporting the U.S. and to overcome the image that “NATO is an unpleasant by-product in the American policy”<sup>87</sup>. This opinion has been enforced by U.S. Secretary of Defense Donald Rumsfeld, at the informal meeting of Defense Ministers of the Alliance on 24-25 September 2002 in Warsaw. The meeting enforced special topics of a new rapid reaction force to be established by the next Summit to be held in Prague, 2002. *Népszabadság* called this

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<sup>84</sup> Charles Gati – professor of European Studies Department of The Johns Hopkins University and former senior advisor of Foreign Planning Department of Department of Foreign Affairs, US government.

<sup>85</sup> “Kissinger szerint Amerika csak végső esetben lép fel egyedül Irak ellen”, (According to Kissinger, America acts against alone against Iraq only in case of the last chance), Infostart, Budapest, 16 September 2002, <http://www.infostart.hu/news.my?cdt=193&idt=7310>.

<sup>86</sup> Istvan, Zsolt Nagy, *Az Egyesült Államok több kérdésben is gesztusokat vár - interjú Charles Gati-val* (The United States expects gestures even in several questions - interview with Charles Gati), Magyar Hírlap OnLine, Magyar Hírlap Rt., Budapest, 16 September 2002, <http://www.magyarhirlap.hu/cikk.php?cikk=56138>.

<sup>87</sup> See article: Endre Aczél, Haditanács után (After War Council), *Népszabadság OnLine*, *Népszabadság* Rt., Budapest, 9 September, 2002, translated from Hungarian by MAJ Fekete, Florian, <http://www.nepszabadsag.hu/Default.asp?DocCollID=70542&DocID=67529#67529>.

force “Világkommandó” (World Commando)<sup>88</sup>. Analyzing the Defense Ministers informal meeting, the newspaper summarizes the following. It has made clear that 12-13 allied members, including France, supports the establishment of a force deployable in seven days anywhere in the world as a decisive force equipped with the high tech equipment to apply counter terror and “preventive” measures with destroying any threats against NATO soldiers and population of allied states, if the deterrence is not effective enough. The most significant in opposition to this idea is Germany. Germany has opposed the new initiative of President George Bush's preventive attack doctrine. The Alliance's involvement plans are a great problem for Germany which states that the former Soviet Union legitimized its intervention in Czechoslovakia with the same reason Bush does recently in the case of recent events<sup>89</sup>, “the developments are threatening the world peace”, as defined by the telnet Magyarország web portal news section.<sup>90</sup>

The Népszabadság article continues to state that besides the defense of the Allied states' territory and population, the counter terror and the prevention of wars using weapons of mass destruction and their proliferation are to become a basic element of NATO's tasks. The unit can be created from British, French and Canadian Special Forces. The units can be subordinated to the Supreme Commander of NATO and its deployment has to be decided by the Allied governments. The article cites experts saying that the unit will have four to five thousand soldiers and another thousand people doing background work.

The article makes some predictions about the possible Hungarian participation of engineers, chemical troops, a readiness store, or a base. In addition, the newspaper was informed that Russia is also interested in joining the proposed rapid reaction force and being partners in NATO's strategic planning. The analyses state that the proposed force can add the function of “world police” to the self defense function of NATO, and if

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<sup>88</sup> Oszkár Füzesi, A világkommandó hét napon belül bárhol bevethető (World commando can be deployed anywhere within seven days), Népszabadság, Népszabadság Rt., Budapest, 25 September 2002 <http://www.nepszabadsag.hu/Default.asp?DocCollID=73097&DocID=69804#69804>.

<sup>89</sup> See footnote 86.

<sup>90</sup> “Németország bírálja az amerikai doktrínát”, (Germany criticizes the American doctrine) Stop!, telnet Magyarország Rt., 06 October 2002, <http://www.stop.hu/hirek/politika/?f=35052>, summarized from Hungarian by the MAJ Fekete, Florian.

accepted by the Prague Summit, it will reform all NATO development plans and will have far reaching consequences in international law, strategy and politics.

Although the new unit was proposed at the informal meeting of Warsaw Defense Ministers by U.S. Secretary of Defense Donald Rumsfeld, the original wish to meet the needs of stability changes, terror and proliferation threats was declared by the NATO Parliamentary Assembly on 7 June 2002, . This is considered a policy recommendation for NATO, since its resolutions are sent to the NATO Council, in accordance with the role, tasks and responsibility of the NATO Parliamentary Assembly in the NATO civil-military relationship system, as stated previously.

Finally, the chapter provides an example of the complexity of interdependence and of how strong cooperation can be understood as capability-based integration in security management. Cooperation, integration and management are controllable processes, which can be managed through the wide scale use of civil-military relations at the regional level, where the some traditional tools of civil-military relations, such as elected legislation, the president, and so forth, are only partially present or missing entirely. So, according to the example, a UN Chapter based regional organization, the North Atlantic Treaty Organization, has the ability and capability to manage to control itself, to control and to integrate forces controlling it “from outside” while, at the same time, the process can be considered a process of ad-hoc or/and hierarchical enlargement and restructuring of the Organization from the point of view of security management. This is especially true if Russia’s wish to participate in the new planned unit is taken into account as well as strong German opposition to it. The next expected round of enlargement will take place in accordance with the NATO Parliamentary Assembly’s next two documents:

As representatives of parliamentary democracies and democratic values, it is essential that we make our views known on the decisions that will ensure NATO's role in maintaining peace and stability, deterring aggression, and dealing directly with threats to the Alliance wherever they arise. Parliaments, after all, are most ly responsible to the public whose support is essential if the much-needed changes are going to succeed. Parliamentarians are also responsible for allocating financial resources and approving the deployment of forces. And most will also have to ratify the



decision to invite new members to accede to the Washington [NATO] Treaty. We hope that our Declaration will provide governments with a timely indication of the collective parliamentary voice of the Alliance.<sup>91</sup>

Leaders of the NATO Parliamentary Assembly have committed themselves to NATO enlargement and its centrality to NATO's future and Europe's stability. The leaders of the Assembly's 19 member delegations have called on NATO to invite seven nations - Estonia, Latvia, Lithuania, Bulgaria, Romania, Slovakia, and Slovenia to join the Alliance at the NATO Prague Summit in November.<sup>92</sup>

In addition, Estrella<sup>93</sup> enforces the need for civil control over the Alliance and its need for enough forces and proper strategy to meet new security challenges quickly and adequately:

Looking at the consequences of these new threats for NATO forces, the declaration says “NATO forces must therefore be capable of taking action whenever the security of its members is threatened, upon the basis of the United Nations Charter”; this would strengthen the deterrent element of Alliance strategy “by making it clear that there is no safe haven for those who would threaten our societies or for those who would harbor such people.” Action “should be decided on a case-by-case basis by the North Atlantic Council”<sup>94</sup>.

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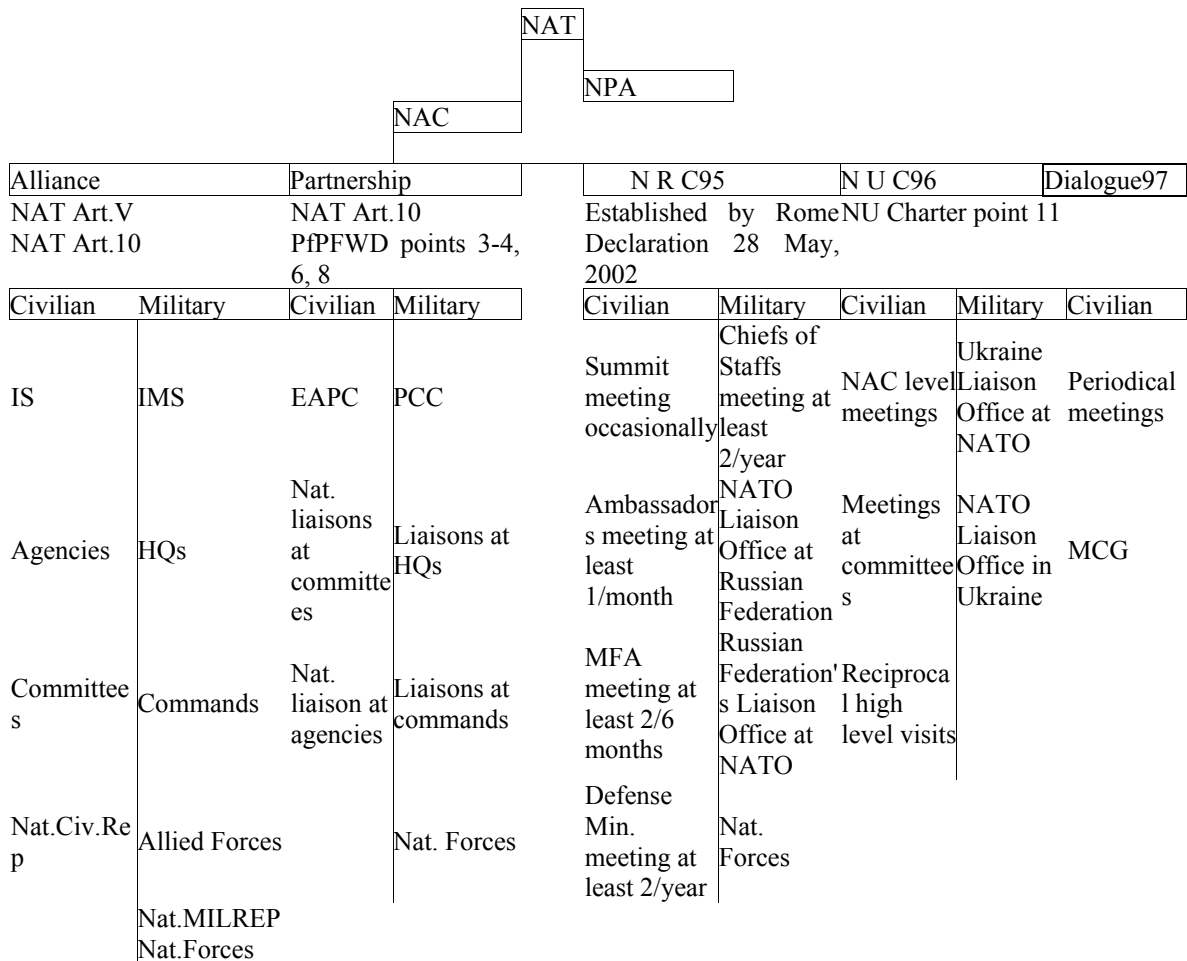
91 “NATO Parliamentary Assembly Discusses Prague Summit”, NATO Press Release, Brussels, October 3, 2002, <http://www.nato-pa.int/publications/press/p021003a.html>.

92 “NATO Enlargement Key Priority for Europe's Stability – Estrella”, NATO Press Release, Brussels, 7 October 2002, <http://www.nato-pa.int/publications/press/p021007a.html>.

93 NATO PA President - Rafael ESTRELLA.

94 See article: “NATO Parliamentary Assembly Discusses Prague Summit”, NATO Press Release, Brussels, October 3, 2002, <http://www.nato-pa.int/publications/press/p021003a.html>.

## 2. Chart 2 An Understanding of NATO's System of Civil-Military Relations



95 North Atlantic Council, NATO-Russia Relationships: A New Quality – Declaration by Heads of State and Governments of NATO Member States and the Russian Federation, Rome, 28 May, 2002, [NATO On-Line Library, http://www.nato.int/docu/basicxt/b020528e.htm](http://www.nato.int/docu/basicxt/b020528e.htm) and North Atlantic council, NATO Russia Relations, [NATO Fact Sheets, http://www.nato.int/docu/facts/nato-rus.htm](http://www.nato.int/docu/facts/nato-rus.htm) and North Atlantic Council, Founding Act on Mutual Relations, Cooperation and Security Between NATO and Russian Federation, Paris, 27 May, 1997, [NATO On-Line Library, http://www.nato.int/docu/basicxt/fndact-a.htm](http://www.nato.int/docu/basicxt/fndact-a.htm).

96 North Atlantic Council, Charter on a Distinctive Partnership between the North Atlantic Treaty Organization and Ukraine, Madrid, 9 July 1997, [NATO On-Line Library, http://www.nato.int/docu/basicxt/ukrchrt.htm](http://www.nato.int/docu/basicxt/ukrchrt.htm).

97 “Summary”, [Mediterranean Dialogue, NATO Issues, http://www.nato.int/med-dial/summary.htm](http://www.nato.int/med-dial/summary.htm).

### **3. Acronyms in Chart 2.**

<b>ABBREVIATION</b>	<b>MEANING</b>
NAT	North Atlantic Treaty
NPA	NATO Parliamentary Assembly
NAC	North Atlantic Council
PfPFD	Partnership for Peace Framework Document
NRC	NATO - Russia Council
NUC	NATO - Ukraine Council
MCG	Mediterranean Cooperation Group
NU	NATO – Ukraine
IS	International Staff
IMS	International Military Staff
EAPC	Euro-Atlantic Partnership Council
PCC	Partnership Coordination Cell
HQs	Headquarters
Nat.	National
Civ.	Civil
Reps.	Representatives
MILREP	Military Representatives
MFA	Minister(s) of Foreign Affairs
Min.	Minister(s)

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## **IV. CIVIL-MILITARY RELATIONS IN THE RECENT IRAQ CRISES**

### **A. OVERVIEW**

The ongoing Iraqi crises reflect all the problematic questions of civil-military relationships or civilian control of forces at the international level. It has elements of both direct and indirect control of forces being present at the same time. In other words, the personal goals and behavior of a state expressed in its internal political debates and civil-military decisions, as well as at the regional level and the United Nations, are present in the crises. In addition, different types of communality can be observed in the behavior of individual states expressed through their activated bi-, and multilateral relationships system, their activated coordination work at regional levels and in a rift in the United Nations system of civil-military relationships at all levels when trying to meet the requirements of its Charter.

### **B. CIVIL-MILITARY RELATIONS' PROBLEMS IN THE EURO-ATLANTIC SPHERE**

Three basic final goals of the process can be observed. The first is to rule out Saddam Hussein's dictatorship or/and to correct some former mistakes of the United States' Cold War foreign policy that helped Saddam ascend to power, and armed the Iraqi army with weapons of mass destruction. The second is to enforce the coordination role of the United Nations by applying all measures to channel any possible solution under its authority. The third, which has a logical connection to the previous, is to adapt the UN system to the needs of the post Cold War era even by renewing or modernizing it by establishing new types of actions and relationships in order to enhance the effectiveness of civil-military relationships at the international level.

MSNBC states how the Iraqi crises began during the Cold War:

The history of America's relations with Saddam is one of the sorrier tales in American foreign policy. Time and again, America turned a blind eye to Saddam's predations, saw him as the lesser evil or flinched at the chance to unseat him. No single policy maker or administration deserves blame for creating, or at least tolerating, a monster; many of their decisions seemed reasonable at the time. Even so, there are moments in this clumsy

dance with the Devil that make one cringe. It is hard to believe that, during most of the 1980s, America knowingly permitted the Iraq Atomic Energy Commission to import bacterial cultures that might be used to build biological weapons. But it happened.<sup>98</sup>

Moreover, the article delves much deeper by providing information about U.S. actions and refers to a picture published in the September 2002 issue of Newsweek<sup>99</sup>. Since the war against Iran was unsuccessful in 1982, Saddam needed to be saved. When Iran's 'human wave attacks' seemed to overrun Iraq's armies, the United States decided to throw a life vest to Saddam. The United States started to supply him with satellite photos on Iranian deployments, delivery tanks and other military hardware through an exchange. American tanks were sent to Egypt, and Egyptian tanks to Iraq, as well as 'dual use' equipment and materials. Moreover, the article writes that the U.S. supplies included a computerized database for Saddam's Interior Ministry to presumably help keep track of political opponents, helicopters to transport Iraqi officials, television cameras for 'video surveillance applications', chemical-analysis equipment for the Iraq Atomic Energy Commission (IAEC), and, most unsettling, numerous shipments of 'bacteria/fungi/protozoa' that could have been used for the production of chemical weapons, including anthrax. The article emphasized the importance of internal debates and separation of powers by mentioning the Pentagon blocking an authorized shipment of 1.5 million atropine injectors for use against the effects of chemical weapons by the State Department.

The article implies that both the Iraqi governments and U.S. governmental organizations and certain types of businesses were involved from the very beginning. These organizations had affected not only the outcome of the Iraq-Iran war, but even later developments by delivering the materials and providing the opportunity to use them for personal motives, for instance, the use of gas against the Kurds, or tanks against Kuwait.

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<sup>98</sup> Christopher Dickey and Evan Thomas, How Saddam Happened America helped make a monster. What to do with him—and what happens after he's gone—has haunted us for a quarter century, MSNBC, Microsoft Corporation, 2002, <http://www.msnbc.com/news/807688.asp#BODY>.

<sup>99</sup> "The last time Donald Rumsfeld saw Saddam Hussein, he gave him a cordial handshake. The date was almost 20 years ago, Dec. 20, 1983; an official Iraqi television crew recorded the historic moment". MSNBC, Microsoft Corporation, 2002, <http://www.msnbc.com/news/807688.asp#BODY>.

The article also provides an example that the use of forces, including military, at the international level is a result of interactions of internal policy and the affects of international circumstances that take into consideration a moment of reality and a nation's as well as the international community's possible choices. The later can also be demonstrated by a temporary solution of the crises that included the Gulf War, a series of UN sanctions and humanitarian measures without changing the essence of Iraq's internal civil-military relationships.

When considering these data, it can be said that the question of weapons of mass destruction in Iraq is an insolvable question for the United States, who tried to limit Saddam's possibilities by creating an international coalition in the war liberating Kuwait from the Iraqi invasion. This step, the creation of the coalition, broadened the problems described above. It forced the international community to join America's concerns about Iraq's weapons of mass destructions. The international community and the United Nations have taken on the responsibility declared in different UN resolutions against Iraq that have included trade and weapon embargos; chemical, nuclear and traditional weapon inspections on site, and other humanitarian actions.

Taking into consideration Hasselbein's concentric circles-based relationship system that is able to describe how civil-military relationships are functioning in the UN system, the creation and maintenance of complex measures with a large number of participants is not an easy and simple task. All participants line up a series of measures to influence the international community accordingly to their goals. For instance, the United States of America has executed a wide spying operation on the Security Council's members during the Iraq crises in order to supply the President with relevant direct information about the intensions, discussions and actions of members of the Security Council.<sup>100</sup> Another example is the Organization for Protection of Chemical Weapons (OPCW), maintained by the United Nations. Its task is to control the execution of the

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<sup>100</sup> Martin Bright and others, Revealed: U.S. dirty tricks to win vote on Iraq war, The Observer, March 02, 2003, <http://www.observer.co.uk/iraq/story/0,12239,905936,00.html> and "U.S. plan to bug the Security Council: the text", The Observer, March 02, 2003, <http://www.observer.co.uk/iraq/story/0,12239,905954,00.html>

relevant treaty and dismantlement of the weapons. This agency is rather important and participates in the solution to the Iraq crises.

It is a field of experiments swinging the events, as can be seen from the Hungarian Népszabadság and Britain's The Guardian's articles, according to which, the head of the OPCW, Jose Bustani, was the first leader of an international organization, or more exactly, of an organization of the United Nations, who was expelled before the full term of his mandate had expired<sup>101</sup>. The articles provides a link to the case of Iraq by describing how the OPCW effectively controlled chemical weapons in Iraq and could have convinced Saddam Hussein to sign the Chemical Weapons Convention. The expulsion of Mr. Bustani, who "stepped between powerful Washington hawks and their prey, Saddam Hussein, stopped the next step which was signing the convention. They wanted a war and Mr. Bustani's talk of peace threatened to spoil it. Is this true? The U.S. owes everybody an explanation."<sup>102</sup>

Another example of using pressure is when Iraq expelled the weapon inspectors after accusing them of spying followed by a short acknowledgment from the United States and a joint air strike with the British forces controlling the no-fly zones on the day after the inspectors left Iraq and Iraq's permanent unwillingness to undergo further inspections. The developing U.S. war plans, an international and even partial domestic opposition to them, have enforced this complicated situation, or better yet, crisis.

These examples provide the opportunity to look into the hidden working methods of governments, governmental and intergovernmental organizations and even certain sections of business. The example has shown that actors can actively participate in the creation of a later crisis by conducting their daily business under militarily ruled, or at least, oriented political governance willing and able to use any kind of pressure.

At this point, non-governmental organizations began to play a role in favoring both main actors. The first is the activation of non-governmental organizations to prove

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<sup>101</sup> "Toxic Diplomacy", *The Guardian Unlimited*, 27 April, 2002 and "Amerika felrúgja a nemzetközi szerződéseket" (America disregards international agreements), *Népszabadság*, Népszabadság Rt., Budapest, 30 April, 2002.

<sup>102</sup> "Toxic Diplomacy", *The Guardian Unlimited*, 27 April 2002.



or disapprove war preparations against Iraq that became meaningful when Ramsey Clark, former U.S. Attorney General led the delegation inspecting the Mosul Airport in Northern Iraq after two days of bombing by U.S. and British planes on 27 August 2002<sup>103</sup>. The second step is the emergence of humanitarian support. An example is the activities of the International Committee of Red Cross in Iraq. It includes the rebuilding of hospitals, providing health services, education for both the society and for governmental organizations as summarized in the activity update of the organization<sup>104</sup> and trying to reduce the effects of internal conflicts, such as its activity among Kurdish groups in Northern Iraq<sup>105</sup>. Although there is a growing protest on the part of civil societies around the world against a new war with Iraq, there are several non-governmental organizations and other actors working in favor of disarming Iraq through military force. For instance, scientists supply the Pentagon with maps of Iraqi archeological sites according to the cultural news of the Index Hungarian web portal<sup>106</sup>. The scientific space programs behave in a similar manner, as can be concluded from an ITAR-TASS article<sup>107</sup>. Others at least try to create a broad base from which to

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103 “Ramsey Clark Anti-War Update from Iraqi Bombed Areas”, International Answer, <http://www.internationalanswer.org/news/update/083002baghdadupdate.html>.

104 “24-12-2002 Operational update, The ICRC in Iraq – Fighting Despair and Disintegration”, International Committee of Red Cross, Geneva, <http://www.icrc.org/Web/eng/siteeng0.nsf/html/5H5G2T?OpenDocument>.

105 “The ICRC in Iraq”, International Committee of Red Cross, Geneva, <http://www.icrc.org/Web/eng/siteeng0.nsf/html/iraq!Open>.

106 Földes András, Iraki műemlék háború (Archeological war in Iraq), Index web portal, Index.hu Rt, Budapest, <http://index.hu/kultur/klassz/mezo0125/>.

107 “A spokesman for a Russian military-space organization speculated that Columbia's loss might indirectly affect the date of a military operation against Iraq. The analyst did not rule out that Columbia's mission included surveillance of Iraq's territory where combat operations were likely.

“Intelligence gathering in such cases is comprehensive and includes the recording of telltale signals from Iraqi radars and means of communication and weather change dynamics. Military targets and logistics infrastructures are of particular interest,” he said.

The analyst speculated some of the gathered data might have been already transmitted to the ground, and others, fed into the onboard computer database for further interpretation, which is now impossible, because the on-board equipment has been destroyed. This may delay the beginning of a yet-to-be-decided on military operation, he said.” in article “Russia, US enter into consultations on ISS future”, ITAR-TASS, Moscow, <http://www.itar-tass.com/english/allnews/184583.html>.

understand the behavior both of war-, and peace-wanting forces<sup>108</sup> by analyzing their backgrounds and motivations.

In the question of proving or disproving a possible war against Iraq, not only is civil society being divided but the business community as well. Iraq's report to the UN is clearly beginning to illustrate a number of multi- and several national companies who violated the UN sanctions, while others tried to build their economic relations within the frameworks by taking advantage of other non-governmental institution's efforts in creating the 'Food for Oil Program'.

These small events draws attention to the emerging interventions of the non-governmental organizations, civil society and business circles into the process, with the aim to orient the main political actors towards keeping up with the agreed rules of the international community or their interests.

This intention was formulated very clearly by the Anglican and Roman Catholic religious leaders in a message made together with the Pax Christi Brit peace movement to Tony Blair. According to the *Népszabadság*, they condemn any war launched against Iraq without UN authorization<sup>109</sup>. It encodes that they are obliged to avoid a unilateral war and to try to work for a common solution to the question of Iraq's weapons of mass destruction and the Iraqi leader, Saddam Hussein.

This approach has obtained some results; if they are counted as support for other initiatives of many intergovernmental organizations, for instance, the United Nations Organization, the Arab-League and the European Union. On the other hand, these events of non-governmental organizations, civil society and a certain part of business circles attempt to orient Iraq towards the need for the unconditional acceptance of, and undergoing, UN resolutions through their normal activities.

These effects have shown that non-governmental organizations, civil society and states (governments) can influence the main actors in crises. The effectiveness of these

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<sup>108</sup> See publications of the United States Institute of Peace at the web page, <http://www.usip.org>.

<sup>109</sup> "Keresztény vezetők az iraki háború ellen" (Christian Leaders Against Iraqi war), *Népszabadság*, 6 August 2002, *Népszabadság Rt*, Budapest, <http://www.nepszabadsag.hu>.

steps can be measured by those acceptance to maintain the rules of the international community which is happening in parallel with the war preparations.

Similar affects can be observed in the United Nations system. There are two parallel ongoing processes, preparations for war and its aftermath, and trying to reach the lowest common denominator in managing the conflict. The United Nations civil-military relationships system suffers the impacts not only of the processes described above, but also the struggles with its internal bargaining at international<sup>110</sup>, regional<sup>111</sup> and internal<sup>112</sup> levels to keep the most concerned, the United States and Iraq, within the boundaries of the Charter of the United Nations to finding a solution to the crises. On the one hand, this internal struggle is expressed in the work and debates of the Security Council and the authorities of its member states, especially of the permanent members, in doing what is asked by the Charter of the United Nations co-ordination and conciliation mechanism<sup>113</sup>. On the other hand, the struggle is encoded in the sensitive and desperately needed ongoing work of different UN agencies (IAEA), commissions (UNMOVIC) and other UN organs to claim the United Nation's resolutions on Iraq. Since the United Nations system contains not only central organizations, but regional ones as well, the struggle has become greater. For instance, the debate in NATO on the approval of the U.S. desire for help has been approved, until now, only at the level of several independent member states, instead of the entire organization. This approval is largely influenced by the internal conflicts of the European Union<sup>114</sup> that has been able to reach a

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<sup>110</sup> See the overall willingness to accept a second resolution in the Security Council.

<sup>111</sup> See U.S. version of "old "and "new" Europe, or Russian-Italian, Russian-Saudi Arabia talks before the meeting of the Security Council on 05 February 2003.

<sup>112</sup> Although the official communiqué reflects the acceptance of an international society in which the positions of Britain and France remain different, the Hungarian web site Origo states that during the negotiations of Tony Blair and Jacques Chirac on 04 February 2003, the need to create at any time an immediately available common European aircraft carrier fleet has emerged and found a common understanding expressed in French involvement in the building of a new British aircraft carrier, and vice versa, by emphasizing enhancing the ability of their naval air forces to cooperate, in order to enforce a common European defense. Meanwhile, France is saying that its decision to veto will depend on the circumstances of the moment. Moreover, the article says that, according to a London source, Italy and Spain are willing to join the aircraft carrier fleet. "Nincs közeledés Blair és Chirac Között" (Blair and Chirac are not getting closer), *Origo*, Axelero Internet Szolgáltató Rt., <http://origo.hu/eu/20030204nincs.html>.

<sup>113</sup> See restrictions of the Security Council and its permanent members in Chapter II.

<sup>114</sup> See media news on the topic about the situation in France, Germany and others vs. "8 countries".

compromise<sup>115</sup> on how to manage the crises. Looking at it from another angle, the NATO member and EU aspirant Turkish state, having strategic importance in this area, is leading regional efforts in the region through the use of its important relationships with the Arab world, Europe and the United States. The goal of these efforts is to reduce the possibility of war by any means possible. This can be supported by an article in ITAR-TASS<sup>116</sup> written about the existence of an Arab plan to replace Saddam Hussein without radical changes in Iraq, convincing the United States not to go to war and attracting the UN to monitor developments, and the U.S. and Iraq have been notified of the plan.

As a result of the aforementioned basic efforts, very extensive and intense diplomatic debates, talks, conversations, massaging occurred in the last period. They use all the available tools and fields to influence the main actors, the independent states and the United Nations decision making body, and the Security Council, in order to find an acceptable solution without the further loss of prestige and avoiding the collapse of the United Nations, as happened with the League of Nations. In other words, military actions from all sides, the members of the United Nations', Iraq and the United States, and peaceful military efforts<sup>117</sup> to resolve the crises can be possibly channeled through the authority of the United Nations by using all the tools of civil-military relationships taken into consideration before a nation or the international community can use its military force.

The discussion indicates that the process of solving the Iraq crises uses complex and complicated relationship and contact/signal systems which are challenging in the process they have already undergone. It started with an insolvable question of Iraq's

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115 The foreign ministers agreed that this resolution (1441) is the last chance for Saddam Hussein to cooperate with the United Nations and the international community and the Security Council has to obtain more power in executing the resolution to reestablish armament control, as the Magyar Távirati Iroda (the Hungarian News Agency) summarizes in "Az EU – tagországok külügyminiszterei szerint folytatni kell az ellenőrzést" (According to the EU member states' foreign Ministers, the control has to go on), on 02/03/2003, at <http://hirek.mti.hu/news.asp?newsid=65744&pub=8>.

116 Vitaly Makarchev, Arab mass media report on secret plan over Iraq, ITAR-TASS, Moscow, <http://www.itar-tass.com/english/allnews/182239.html>.

117 "I think it would be terrible if this comes to an end by armed force... But I also know that diplomacy needs to be backed by force sometimes and inspections need to be backed by pressure," he said,' as Mr. Blix is cited, in the article, "Blair: Saddam Will Remain Defiant", BBC News, 31 January 2003, <http://news.bbc.co.uk/1/hi/world/americas/2713979.stm>

weapons of mass destruction followed by a loss of effectiveness expressed in the “unfinished” Gulf War, or in the UN sanctions and monitoring system that had suffered a loss of efficiency when trying to manipulate the process. Moreover, the monitoring system has lost its legitimacy at least for a while, when the inspectors left Iraq. This began a crises heading to a power vacuum containing the lack of real UN tools previously to enforce inspections and sanctions, the emergence of the conditional deferring of every UN members to UN decisions and the existence of unilateral war plans accompanied by strong opposition to war, especially those started unilaterally. The power vacuum has generated an increased politicization evolving into any kind of diplomatic actions with an aim to reach the lowest common nominator influenced by civil societies, NGOs, IGOs other than UN organizations, business community and individual interventions to lead the process to a favorable solution.

The discussed process of civil-military relationship suprapstate level enforced by the actors interactions has reached a level that is crucial in its development. At this point the process can have three ways to develop further. As Juan J. Linz described in The Breakdown of Democratic Regimes<sup>118</sup> those solutions to a (regime’s) crisis can be a breakdown, a reequilibration or a transfer of power. The breakdown can contain any unilaterally started war, not counting what is done by the United States or Iraq or members of the United Nation system, - that can devaluate the United Nations and the international community. A kind of optimal solution can be the reequilibration expressed in the form of a follow up of the earlier UN resolutions, enforcing the weapon inspections and peace type use of military forces<sup>119</sup> in the process of disarming Iraq with a possible chance of its being disarmed by war, if Iraq “voluntarily” does not execute UN resolutions<sup>120</sup>. A transfer of power as a solution can be imagined in case Saddam Hussein, who is declared by decisive governments and by the mass media, to be an

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118 Juan J. Linz, The Breakdown of Democratic Regimes Crises, Breakdown and Reequilibration, The John Hopkins University Press, Baltimore and London, 1978.

119 Enforcement of the resolutions with members' voluntary military forces.

120 Tony Blair, UK Prime Minister says: “What Counts is that the Integrity of the United Nations is Upheld” in the Article, “Blair: Saddam Will Remain Defiant”, BBC News, 31 January 2003, <http://news.bbc.co.uk/1/hi/world/americas/2713979.stm>.

obstacle, steps aside under any kind of pressure of the international community and open the door much wider to the possibility of avoiding a war. This can be even 'misunderstood' at regional levels in the light of existing deep cultural and religious differences among the members of the UN system united on thin ice through the need to maintain international peace and sustainable development, and in the light of the newly emerging restructuring of the resources of rough materials. This process is described in the article, Battle for Energy Dominance<sup>121</sup>.

Although, based on what has been previously discussed, the developments appear to be heading towards a consolidated action under the authority of the UN, and they depend greatly on the UN and Iraqi's willingness to act. This idea is supported by Kenneth M. Pollack's article "Next Stop Baghdad?".

At this point, restoring a serious and sustainable containment regime would require an entirely new set of arrangements. General economic sanctions would have to be lifted and the current UN contracting system virtually eliminated, while the core military embargo would have to be left in place, harsh penalties instituted for violators and pre-authorization arranged for the use of force by the United States to compel compliance.<sup>122</sup>

Finally, managing the difficult situation and making an at least satisfactory decision that responds to history's lessons learned is possible with rigorous common work of the international community, including the effects of the discussed types of civil-military relationships and their tools.

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<sup>121</sup> Edward L. Morse and James Richard, The Battle for Energy Dominance, Foreign Affairs, March/April 2002, Volume 81, Number 2, pp. 16-31.

<sup>122</sup> Kenneth M. Pollack, Next Stop Baghdad?, Foreign Affairs, March/April 2002, Volume 81 Number 2, p. 35.

## V. SUMMARY AND CONCLUSIONS

The thesis has described how democratic civil-military relations evolve and work at a supranational level, i.e. international level, how they can serve to enhance international security, what relationships system they create, how they interact with participants, as well as how participants influence each other.

By answering these questions, the thesis has analyzed the UN system and the North Atlantic Treaty Organization as an example of regional civil-military relations, after a short historical overview of the emergence for such relationships systems. The thesis used the recent Iraq crises (2002-2003) to illustrate how civil-military relationships are functioning and how they are able to serve the enhancement of international security.

The examples and the analyses have shown that the international community has created more complex structures for civil-military relations. The beginning ad-hoc experiments evolved into a system of agreements under the International Red Cross as a first step. Then, the community recognized the need to control military forces and created the League of Nations. The League of Nations established a strictly centrally managed, or authoritarian, civil-military relationship system based on the accumulated knowledge and experience of aristocratic societies seizing the opportunity to settle debates about World War I peace treaties. Although this civil-military relationships system failed during World War II, it contained a series of the recently decentralized, in other words, democratic systems, such as the division of power, for example, the International Permanent Court of Justice and the General Assembly and Council, the right of a common defense by maintaining the right of self-defense, an obligatory 6+3-month-period of state of peace for mediation and the settling of disputes before going to war and the trusteeship system. Moreover, it took the first step toward starting global governance in a small attempt at opening civil society by encouraging nations to build relations with national Red Cross organizations. This had an impact on the global acknowledgments of basic human rights encoded in the Covenant of the League of Nations.

Following the League of Nations' civil-military relationships, the United Nations also created in the aftermath of a world war. It established decentralized civil-military relationships with a robust array of interactions and a leading coordinating body: the Security Council. It preserved the tradition of victorious states since - similar to the League of Nations' Council - its members are divided into permanent and elected groups. Together with this division, the required and unavoidable consultations of permanent members have reduced their opportunity to act freely and radically, but not eliminated it yet, as the events of Iraq crises<sup>123</sup> and the opinion of German Chancellor's, Gerhard Schroeder,<sup>124</sup> demonstrate. According to Chapter IV, the regional institutions have an important role in further weakening the chances of a strong state unilaterally, as resulted in the cited unanimous communiqué of the foreign ministers of the EU member states in the case of Great Britain. Moreover, the Security Council's consultation mechanism, the same as the internal regional management, can possibly prevent the use of a "unilateral" veto that can be equal in certain circumstances to a unilateral use of force.

By using the set of tools to maintain international peace and sustainable development, it becomes clear that the United Nation's system enforced and enhanced the League of Nation's attempt to recognize general human rights and to cooperate with non-governmental organizations. The United Nations put a new effort to influence or orient the business community and private voluntary organizations to resolve general problems, such as changes in climate, AIDS, starvation, conflicts using arms and the danger, international terrorism, reconciliation after wars and natural catastrophes, and so forth. It indicates that the international civil efforts heavily depend on members willingness to act within the rules and to contribute with their recourses to the common supranational civilian infrastructure existing in the forms of different UN, European and other global or regional institutions and organizations, for instance, World Trade

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<sup>123</sup> See the long kept wish of the United States and Great Britain to act unilaterally, to begin war against Iraq without UN permission.

<sup>124</sup> "Er warnte vor einem 'Triumph des Rechts des Stärkeren über die Stärke des internationalen Rechts'." (He warned for a "Triumph of stronger's (states') rights on the strong's (states) of international rights"), as it is stated in the article "Schroeder warnt vor triumph des Stärkeren", Spiegel Online, 27 January 2003, Spiegel-Verlag, <http://www.spiegel.de/politik/deutschland/0,1518,232577,00.html>, translated from German by MAJ Fekete, Florian.



Organization, International Atomic Energy Agency, United Nations World Health Organization, International Telecommunication Organization, the Kyoto and GATT processes, European Investment Bank, Organization for Security and Co-operation in Europe, International Committee of Red Cross, etc.

The United Nations has formed its “own” military forces subject to the will of troop contributing member states. The decisions on their use, size and type of use are decided on a case-by-case basis in accordance with the United Nations’ strategy in the given crises. In other words, United Nations created forces, trained by member states and regional organizations under partial UN direction and assigned to the United Nations for specific tasks, are able to execute military operations to enforce UN resolutions and programs. These supranational efforts seek to build a sizable force; however, once the force is at the size of a critical mass, it becomes difficult or almost impossible to use forces as an instrument of pressure in peaceful tasks of maintaining international peace and development<sup>125</sup>. At the critical point the military must be used for violence or withdrawn. This is true especially for the voluntary forces being under national command and control. A timing and/or situation evaluation conflict can evolve between the supranational decision-making bodies and the military build up as has happened in the Iraq crises. This question can easily revitalize a certain part of the Covenant of the League of Nations that allows going to war if the Council fails or with other words it lead the United Nations to the same fate suffered by the League of Nations. Other hand, it can to cause to emerge some kind of new cooperation or integration tools, methods, rules and norms within the existing supranational, i.e. international and regional civil-military relationships.

Applying the above, the United Nations established a unique educational and socialization system that tries to teach people how to use their opportunity to live in peace and in better conditions<sup>126</sup>, how to play the field and within the accepted common

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<sup>125</sup> See Mr. Blix words in Chapter IV and compare timing of some Security Council's member behavior's change with the size of the armed forces, power of weapon systems deployed and to be deployed around Iraq and in Iraq (inspectors and potential of their outside support).

<sup>126</sup> See UN Declarations in Chapter II.

rules<sup>127</sup>. However, the first results of this attempt will not be seen any time soon, but some positive<sup>128</sup> and negative<sup>129</sup> signs can be observed.

As the analyses have shown, civil-military relations at a supranational level are being formed in different historical events greatly defining their structure and ability to function in the manner defined in the Charter of the United Nations. To reach this goal, the United Nations has a coordinating role in any crisis which heavily influences civil-military relationships at supranational levels. This is evident during debates about the use of force in Iraq and elsewhere, as states do attempt to manage problems via the United Nations system (even if it is not always successful). Similar coordination role is true for regional level organizations as the examples of NATO, the EU and member states' internal debates have shown. In spite of these parallel coordination roles, the regional organizations are able to maintain standing forces, while the organizations at international level and the ad-hoc coalitions can gather only "called up" or "voluntary" military forces. The process is truly backwards, because the starting point of recent UN crises exists within a single state, Iraq; this caused a new series of concentric circle-type events, building relationships as they sought out different methods to resolve the Iraq crises of 1991 and 2003. At the same time, for the United Nations, for the European Union, for the NATO and their member states, the methods used for managing both crises can set the foundations for civil-military relationships in the international system by working out and possibly reaching the lowest common denominator of the suggested solutions.

The thesis has shown that the international community has been learning how to use and build civil-military relationships with an increasing number of participants in

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<sup>127</sup> See application of members' voluntary forces in enforcing weapon inspections in Iraq.

<sup>128</sup> See consequences of Iraq' report on German and other businesses (two people doing business and breaking commercial rules with Iraq have been arrested in Germany, a UN citizen, called by the media and named in the report as a main weapon contractor for Iraq was arrested in Bulgaria, etc.), same effects of coordinated anti-terror efforts, creating the International Criminal Court, trying to save archeological heritage, using science in favor of maintaining peace, etc.

<sup>129</sup> See problematic U.S. behavior concerning the International Criminal Court; other agencies or member states trying to heavily influence decisions with a danger of breaking up a agreed upon unity at the regional level; the effectiveness of UN measures very greatly depends on the member's willingness which is a function of internal political debates, power dependence and international circumstances influencing the internal debates and power ratio. No way has been found yet to coordinate them effectively, immediately and at any time, if the United Nations tasks require.

favor of other tools of maintaining international peace and security as an important step to serve policy in the peaceful settlement of disputes. Moreover it is clear that civil-military relations at suprastate level are important both in decisions about the use of force and in the implementation of international policy when forces is used (in tasks defined by the Charter of The United Nations).

The thesis has also shown that international community can create specific strategies by specifying the four variable components of Alexander L. George's general model:

1. What demand to make on the opponent.
2. Whether and how to create a sense of urgency for compliance with the demand.
3. How to create and convey a threat of punishment for noncompliance that will be sufficiently credible and potent to persuade the adversary that compliance is in best interest.
4. Whether to couple the threat with a positive inducement (i.e. "carrot") to make compliance easier for the adversary and, if so, what kind and how much of an inducement to convey.<sup>130</sup>

This robust civil-military relationship system can require a re-evaluation of the question: who is civilian and military at supranational level? National governments are civilian actors in the decision making process and at the same time they are agents of military policy in the sense that they implement the UN Security Council's, the North Atlantic Council's and other authorized bodies' resolutions that call for mobilization. Governments in this case using their internal civil-military relationships execute the decision made by them or their representatives in any suprastate organizations.

The suprastate civil-military relations involving several other actors need more investigation: these include non-governmental for profit (business) actors; non-profit (private voluntary organizations); international education of military officers, bureaucrats (civil servants) and the civil society (citizen groups), need more investigation. On many levels, civil-military relations is transforming today. Taking into consideration the

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<sup>130</sup> Alexander L. George, Bridging The Gap, United States Institute of Peace Press, Washington, D.C., First Published 1993, Fifth printing 2001, p.119

discussed civil-military relationship system at suprastate level that orients its actors to achieve progress in maintaining international peace, security and sustainable development, a fascinating phase of the process can be experienced when the following can finally be said: Suprastate civil-military relationships has met some certain success. They are in formation; having been first ad-hoc, then centralized (League of Nation), they are now more decentralized (UN system) and democratic.

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